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IMT Nuremberg Archives

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International Court of Justice

H1017 – 0002

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15 July
Wahl.

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

15 July 1946.

COMMISSIONER:

Mr. McIlwraith.

THE POLITICAL LEADERS.

(The Commission convened at 1000 hours.)

KARL WAHL, a witness, took the stand and testified as follows:

BY THE COMMISSIONER:

Q What is your name?

A Karl Wahl.

Q Please repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

You may sit down.

Q Will the defense counsel state his name and the organization for which the witness appears.

DR. LINK: My name is Link and I am here for the organization of Political Leaders.

DIRECT EXAMINATION.

BY DR. LINK:

Q The witness, Wahl, has been the gauleiter of Gau ~~Scheeaben~~ Schwaben in Bavaria. He has been gauleiter from 1928 until 1945, therefore, he will be able to give information in detail as to matters concerned in Point 6-A of the decision of the Tribunal of the 13 March 1946 and I intend to question him on that subject.

MR. M~~A~~CILWRAITH: Will you be more precise and say what is the exact evidence that you are going to give?

DR. LINK: I shall ask questions of the witness concerning the matters in Numbers one and three, especially as to whether the organization was created by people joining with the intention of committing crimes in the three indicated directions, especially as the witness was the highest officer in the Gau of ~~Schesaben~~ Schwaben, I intend to question him as to the aims, methods, purposes and acts committed by these organizations. He was the head officer not only before the coming into ~~the~~ power of the party, but even after the collapse of Germany.

MR. M~~A~~CILWRAITH: When you say these organizations, do you mean the Leadership Corps?

DR. LINK: I am speaking of the organization of Political Leaders, which I am to defend and which may be subdivided as far as my opinion is concerned into several groups and sub-divisions.

MR. M~~A~~CILWRAITH: Very well.

BY DR. LINK:

Q Witness, you are today 54 years old and your professional talent is municipal secretary. Altogether you have been a soldier for nine years and you joined the National Socialist Party in 1922?

A Yes.

Q In the year 1928 you became a gauleiter?

A Yes.

Q You remained a gauleiter until the collapse of Germany?

A Yes.

Q In 1935 you became the president of the Government, which is the highest authority of the state in your Gau?

A Yes.

Q Am I wrong if I say that you are the oldest Gauleiter in service, or at least one of the oldest Gauleiters?

A One of the oldest Gauleiters.

Q I will stop here with the personal data. First of all, I want to ask you a few quastions concerning the organization book of the NSDAP, which is well known to you. The prosecutions has decided this organization charter ~~as~~ is the official document of the NSDAP and has submitted it to the Tribunal under Document PS. 1893. According to your opinion and to your knowledge does one have to consider the organization book as the official directive for the party?

A In the organization book one can find the whole organization nonsense of Dr. Ley.

Q Do you mean to imply by that that the organization book had gained no practical value?

A It was not the official regulation book and had no practical value at all. It was just a theoretical document.

Q Did the political leaders make speeches in conformity with the organization book, or did they not?

A Not in my Gau - never.

Q Did you know the organization charter in detail?

A I did not. I never read it, I only went through it.

Q How, then can you explain that this book has been edited again and again and that the editions had a very large volume?

A One has always exaggerated with official books of the party and this was the case too for the organization charter. Down to the Ortsgruppenleiter everyone was obliged to buy the book. The main idea was that this edition make a good profit.

Q If you say you did not know this book, you mean to imply that the political leaders of your Gau, who were your subordinates did not know the book?

A I may say that this organization charter was one of the leastread books in the whole Reich. It is possible, however, that such political leaders who were very directly connected with the party such as personal organization leaders did know this book. Then again there were many pictures in the book and that may have been the reason for many political leaders to glance through it. There were all the colors of the fantastic uniforms as mentioned by Dr. Ley.

Q What is your knowledge as to the position taken by Adolf Hitler himself with regard to all these fantastic uniforms and organization imagination as conceived by Dr. Ley?

A If I am to conclude from the directives I received immediately from Hitler, I have to say he had to refuse strictly this organization charter. He was always against too much organization and he himself dispatched a memorandum to us in 1932 in which he stated his desire to have organizations kept to the strictest minimum.

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MR. MCILWRAITH: What does he mean by refusing the book? He said that Hitler refused the book, what does he mean?

DR. LINK: It seems to me that the witness means that Adolf Hitler wanted as little organization as possible and he had to refute the over-organization and all the dreams submitted by Dr. Ley.

MR. MCILWRAITH: I would prefer the witness to answer.

THE WITNESS: In his memo in 1932, to which I referred a while ago, Hitler stressed the point that there should be as little organization as possible. He did that in a sentence, which I still remember and which is as follows: "One should not organiz~~at~~e what can be organized, but one should organize only what absolutely has to be organized."

BY DR. ~~LEY.~~ LINK:

Q What is your opinion as to the term "Hoheitstrager"?

A Hoheitstrager is a term conceived by Dr. Ley too. In my duties, I never used the term "Hoheitstrager" and the political leaders refused these terms. They never felt as soverign men "Hoheitstragers" but as humble servants of the population.

Q Do you agree with me that apart from Adolf Hitler himself, the Gauleiter, the Kreisleiter and the Ortsgruppenleiter belonged to the category meant by Hoheitstragers?

A Yes.

Q What about the blockleieters and zellenleiters?

A It is my own view that the blockleieter and zellenleiter were no Hoheitstragers. They were only modest helpers of the Ortsgruppenlei~~e~~ter.

Q Do you know that there are a certain number of regulations regarding the fact that only down to the Ortsgruppenleieter, they are Hoheitstragers?

A Yes.

Q But, in the organization charter later on the blockleiters and zellenleiters are written down as Hoheitstragers. Do you mean to say that after this organization charter, there was a change in the position of the blockleiters and zellenleiters as far as their position as helpers of the Ortsgruppenleiters was concerned, or was there no change?

A No, there had been no change.

Q This was only then a theoretical organization regulation?

A Yes, only a theoretical order by Dr. Ley.

Q The prosecution has said that the political leaders and especially the blockleiters and zellenleiters were little Nazi Kings. Did the political leaders of the lower grade have any legal police authority, which could justify this implication?

A No, they had no soverign rights.

Q That means neither legal or police authority?

A Neither legal nor police authority.

Q What was the main task of the blockleiters and zellenleiters?

A The blockleiters and zellenleiters were the helpers of the ortsgruppenleiters in technical questions. The main task of the zellenleiters and blockleiters was to collect the contributions of the members of the party, to sell cards and to collect money for the NSD and such tasks.

Q What were the directives the blockleiters and zellenleiters had received through the ortsgruppenleiter from you as to the point of having to spy on the population and if necessary to denounce such persons who did not agree with the point of view of the party.

A I have never received such orders and I have never given any such orders either.

Q In this organization charter, which has been mentioned, there is a passage where it is stated that the blockleiters and zellenleiters had to find out such persons who spread damaging rumors and had to denounce them.

A This is not in accordance with facts.

Q Would it have been in line with the task of the blockleiter and zellenleiter, which was asked of them, if they had spied on the population and eventually denounced persons?

A No.

Q Why not?

A Because if one had given such orders to these unimportant people, there would have been abuses which one could not have stood for.

Q Have there never been regulations to these unimportant people, as you say, to find out who in your Gau ~~who~~ had spread damaging rumors and for instance establish files?

A In my Gau this was not the case.

Q I want to take a very practical example. Let us imagine that in your Gau some party member grumbled about Adolf Hitler.

A It is a fact that if such a thing should have happened and if a blockleiter and zellenleiter had heard of it, then he should have denounced them, but it was not his duty.

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Q You mean to imply by that it was not part of his specific duty as a political leader to establish these facts?

A Yes.

Q Do you mean to say furthermore that such information as was asked from him in this regard would have been asked from any party member?

A I wanted to say that.

Q Did the Hoheitstrager, whether they were only blockleiters and zellenleiters or even ortsgruppenleiters have any authority for assignment with respect to party members?

MR. MCILWRAITH: I thought that you said the blockleiters and zellenleiters were not Hoheitstragers?

DR. LINK: I have not expressed myself clearly enough. I merely wanted to bring forth another example that they were not Hoheitstragers.

THE WITNESS: The so-called Hoheitstragers had no authority for assignment with regard to the organizations.

BY DR. LINK:

Q How was it with marches and common manifestations?

A If the so-called Hoheitstrager needed parts of the organization, he had to ask for them politely.

Q Have you knowledge of the decree of 1941 or 1942 according to which party members who refused to take over a party office were likely to be tried by a party tribunal?

A I have knowledge of this decree. It had been established because

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it had become difficult to find out the political leaders and this was meant to bring about a certain pressure in this regard.

Q I want to finish this part of the questioning. I want to consider very shortly one staff, that is the Kreis staff. I refer once more to the organization charter, then in the area of the kreisleiter and gauleiter there were offices which may be decided as having character of political leadership and those offices apparently had to have someone who was in charge. What would you consider such an office.

A I would consider as political amts, the education amt, the staff amt, the propaganda amt, the employees amt, the treasury amt and the organization amt. All these were to be considered as technical offices. Then there were clearly professional technical offices. For instance, the Amt Protective, the Amt for public health, the amt for agriculture problems and the amt for economical problems.

Q Do you count the amt for warindustry in this category?

A Yes, this amt belonged to the category.

Q Is it correct that in these groups all professional amts that is professional organizations were represented too? I mean to say by this that a professional organization such as the Reichs National Socialist Professors organization, which was an organization in itself. Did they have a liaison man in both the gauleiter and kreisleiter offices?

A Yes, there were such liaison men.

Q Do you call those so-called staff officers as political officers or as professional officers?

A They belonged to the professional amts.

Q Is it correct to say these professional amts belonged to amts for instructors and for officers of the legal amt?

A Yes.

Q What about lecturers and students? Were they connected too with the staff of the Gauleiter or Kreisleiter or did they have a special group again.

A The students were a special group. In my Gau there were no students at all as there was no university.

Q Therefore no lecturers either?

A There were no lecturers either in the Gau.

Q In what way were the NS Womens organizations connected with the staffs of the Gauleiter or Kreisleiter?

A There were women leaders of the Gau organization of the women's organization of the Kreistleiter organization and of the Orts organization.

Q Were these women that were the leaders in the organizations under the offices of the Gauleiter and the Kreisleiter?

A Yes, in the Gau were the Gau leaders of the womens organization and also such office in the Kreisleiter and in all the smaller groups there were the leaders in office.

Q I have not quite understood. Is it to be understood that the same woman who was the leader in the Orts, Gau or the Kreis ~~were~~ was at the same time the liaison with the staff of the Kreis, Gau or Ort?

A In a general way, yes.

Q Therefore, there was a personal union?

A Yes.

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Q Was this personal union effected in the other professional Amts, that is, the personal union between the leaders of the organization, and the staff officers of the Kreisleiters and the Gauleiters?

A In a general way this was the case in the other professional offices, too, but one should not see those offices on as large a scale as they were mentioned in the organization charter. There you see a great number of different organizations, whereas, in reality very often one or two persons were in charge of all those organizations altogether.

Q Is it incorrect if one states that the men who were in the offices of these staffs - in these professional officers of the staffs of the Kreis and Gauleiters were merely technical counsels of the Kreis or Gauleiters?

A Yes.

Q I will go into another question. The Prosecution contends that the talks and discussions of the Political Leaders are proved to be a part of a Political conspiracy; which repeated talks and discussions have you ordered, or at which assemables of a regular character have you taken part?

A Personally, I have arranged talks between what is called the Gauamtsleiter and the Kreisleiters. At those assemblies the leders of part of the organizations were present, too. Furthermore, I have made speeches in the towns, as well as in the country of smaller assemblies. In these assemblies there was an open and free discussion. Personally, I have attended only the meetings which were called Reichsleiter Tagung(meeting), and Gauleiter Tagung, and Kreis and Gauleiter Tagung, but during the last ten years there were no more discussions.

(1) Q ~~The first group of discussions and talks you referred to, that~~

Q. Were the chiefs of state authorities and other interested

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authorities invited from case to case and according to the Agenda, to take ~~is, the talks at which took part the staff officers, and the leaders of the~~ part in the first named group of discussions, that is discussions of the ~~parts of the organization. Take one assembly with the other, the chief of~~ Staff officers with the Gauleiters which were also attended by the ~~the staff offices according to the agenda, you pointed out to what the agenda~~ Organizations and formations? ~~being invited to that was the occasion of every assembly, that it depended~~ ~~on the agenda.~~ Wh~~at was the agenda of those t~~alks?

?

A In a general way the agenda were questions of leadership . Questions that were of the day, and during the war special questions regarding the organization.

Q Were those talks secret?

A No, they were not secret.

Q As to the press, did they attend them?

A Yes, there were reports of every meeting in the Press.

Q Have there ever been any discussions in connection with constructional activities which were in connection with the planning, promoting, or executing of war crimes, or crimes against humanity, and aggressive wars?

A There has been neither discussion~~s~~ nor even short consideration of those things.

Q Do you have knowledge of the order of keeping these matters a secret, an order by Adolf Hitler. I am referring to a decree which was to a large extent posted up in all offices, according to which nobody had a right to know more about the ~~orders~~ matters than ~~were~~ was absolutely necessary for the execution of his personal orders?

A Yes, I know this order.

Q Has it been considered in reality?

A Yes, it has been considered in reality.

Q Down to which grade have the officers received the newspaper, the

"Hoheitstraeger"?

A The newspaper "Hoheitstraeger" is ~~a working - or~~ a work of Dr. Ley. This paper was as popular and read as little as the Organizations Charter was read. The edition had a large number only for the reason that there was a pressure exerted as it was in the case with the Organizations Charter, too.

MR. MCILWRAITH: But you have not answered the question. The question was down xxxxxx to which rank was it read?

THE WITNESS: Down to the rank of Ortsgruppenleiter.

BY DR. LINK:

Q You have stated that the Hoheitstraeger had no authority for assignments with regard to the SS. Do you want to go as far as to say that Political Leaders had no influence as to the working fields of the SS?

A Yes, I wanted to say that.

Q The establishment of concentration camps, and the supplies for the men which were interned there, were under whose authority?

A May I ask that this question be repeated. I have not understood it.

Q Whose duty was it to establish the concentration camps, and to provide supplies for the persons interned therein?

A Only the SS.

Q You mean to say that the Party itself, and the Political Leaders had no part in establishing, supervising, and supplying the concentration camps ?

A They had no part whatever.

Q Had the Political Leaders a legal or actual possibility to visit the concentration camps, and to make themselves familiar with the institutions therein?

A No.

Q And during your capacity as Gauleiter,did you have that possibility there?

A If I wanted to enter those camps I had to make a demand ~~with~~ to Himmler.

Q How many concentration camps have you visited?

A I have visited one concentration camp. I have visited one concentration camp and that was the concentration camp of Dachau,but that was already in the years of 1936 or 1937. I had visited at that time the concentration camp of Dachau because as I may state here, I have always been a sworn enemy of all concentration camps. I have not only been a theoretical~~ly~~ opponent but in the practical field I have very often opposed these camps. I have gone to several superior offices with regard to that matter,and I often had a talk with Hitler about them. At that time I said to Hitler that I saw no reason why political opponents should be locked up behind barbed wire, and sofar as my own Gau was concerned, I saw that there was no danger at all in letting ~~one~~ them free. I may stress the point that I was not against those camps, because I might have had a slight thought even of crimes that were committed in the camps; because as a simple man, as a Christian, I could never think that a movement which gave so much protection to even the animals,and the young life, could have so barbarian measures taken by barbarian Nationals.

MR. MCILWRAITH: He said "So barbarian measures" So barbarian as that? ~~As to what?~~

THE WITNESS: I said, barbarian measures as have been brought to open light now in this trial. May I come back to my talk with Hitler. Hitler told me that at that time - the first time that he had heard of the proposal of letting those political enemies run free, that he did not want to leave these damaging and ~~distributing~~ disturbing elements alone and let them damage the reconstruction.

MR MCILWRAITH: When was this talk with Hitler?

THE WITNESS: This talk with Hitler had taken place either in 1936, or in 1937, but it might have been 1938, too, and he shouted at me, "Give me an island. If you give me an island I will put those political opponents with their dependants on the island, but as long as I have no island, they have to stay in concentration camps." I have tried to see Hitler once again with regard to **this** camp, and one occasion was when the collecting of woollen articles in the winter of 1941 for the benefit of the Wehrmacht, when the result of this collection was very marvellous, such a success that I worked out a very carefully established demand at Hitler's office in order to have the amnesty for these concentration camps, ~~and~~ I have never received an answer to these demands ~~of~~ which I prepared ~~have collaborated~~ myself with the utmost care.

BY DR, LINK :

Q Have you acted accordingly to your own ideas of not bringing political enemies into concentration camps?

A Yes. I have been a Gauleiter for seventeen years, and during all of these years I have never brought any one into a concentration camp, and I have never deprived anybody of his freedom. On the contrary I have helped a certain number of people to get out of the concentration camps, or out of prison.

Q What about your political leaders?

A They acted in the same way, because they were aware of my political ideas.

MR MCILWRAITH: Have you many more questions, Dr. Link?

DR. LINK: I have finished with about half of the questions.

MR. MCILWRAITH: I think we will adjourn ~~have a recess~~ for ten minutes.

(Recess)

MR. MCILWRAITH: Will you continue with your examination, Doctor Link.

BY DR. LINK:

Q Mr Wahl, what was your connection, and in which way did you cooperate with the SS or the SA, or the Gestapo in the Gau?

A Generally it was a good relationship. However, it was unavoidable that there were controversies with the Gestapo.

Q What do you understand by good cooperation?

A I attempted to get along with all authorities as far as possible.

Q You mean in your official relationship?

A I mean in my official relationship.

Q I have several questions to put to you pertaining to the persecution of the Jews. The Prosecution charges crimes according to paragraph six in connection with the basic anti-Semitic attitude. What did you yourself, and the Political Leaders of the Gau know about the intended solution of the Jewish problem?

A The Party line before the seizure of power, it spoke differently from the way it spoke after the seizure of power. Before the seizure of ~~the~~, power they said that only certain Jews would be removed from influencial position, and that no harm would come to the average little Jew. That is the way it was represented at that time, and those were the conditions under which I joined the Party.

Q What do you know about the things which happened after the seizure of power pertaining to the solution of the Jewish Problem. Was it a problem of your Gau?

A I was horrified at finding the Gestapo removing Jews from my Gau without first asking me about it. I frequently asked the Gestapo,"Where did you get the orders to do such a thing; what happened to these people," and they answered:"It was by Himmler that these people were sent to concentration camp where they were ~~started~~ sorted out according to their profession, and Iasked what happened,and they took them and said they would be employed accordingly.

Q Were there many Jews in your Gau?

A I estimated them to have been approximately three-thousand. I could not stop the expulsion of Jews,but in many cases I saw to it that in individual cases they were at first to be permitted to remain.

Q Would you care to explain to the Commission here now the Landsmannschaft organization of your Gau. What I want to say by that, was it a rural or an urban district organization?

A With the exception of Augsburg it was pronouncedly a rural district, or Gau.

Q How were the greater part of the Jews, in the city or in the country?

A They were to a greater part inthe cities. There were three to four communities (Gemeinden). They were larger in numbers.

Q What was the effect of the Jewish boycott in 1933. What happened at that time?

A Per se, the only thing which happened were periodical press notices asking not to buy from the Jew. It also happened that the Nshako,which sat as a Nazi Commercial organization,for reasons of competition, took such executive steps on their own in order to eliminate competition, that is practically ~~What~~ all that happened. ~~xx~~

Dr. LINK: ~~Q~~ The Nschako had been dissolved later.

MR MCILWRAITH: Is that ~~for the record?~~ a question or a statement?

DR. LINK: It is for the record as a statement.

MR MCILWRAITH: Counsel will remember he is examining the witness, and ~~to~~ confine himself to questions only.

BY DR. LINK:

Q Witness, what had happened in your Gau on the 10th and 11th of November 1938?

A On 8th and 9th of November, I was not in Augsburg. Unfortunately I was ill in a sanatarium outside. My deputy notified me immediately. ~~I was notified by my deputy immediately~~. I was notified after the people attempted to do something against the Jews. I had ordered him that under all circumstances he was to do everything in his power not to permit destruction or excesses, such as breaking windows and other destruction of property. Nothing much had happened to either the synagogue in Augsburg itself, or other synagogues in my district; it was the the larger synagogue in my district which was the first one to be used again after the arrival of the Americans last year. In individual Kreises or cities, excesses are alleged to have taken place.

Q Did directives which you issued from the ~~sanitarium~~ Sanatorium to your deputy, did they correspond with your basic attitude towards the Jewish problem?

A This attitude corresponded with my basic attitude, and the Jewish problem, if it would have gone the way I wanted it to, up ~~xx~~ until today not a hair would have been touched on the head of any Jew in my Gau.

MR. MARRECO: This question and answer seem to be largely personal. This witness is called to speak for all the Gauleiters of Germany, and in 1938 excesses were very widespread throughout Germany, and the task of this witness is to explain this excess and not to say what actually happened in one small Gau.

MR. MCILWRAITH: How mahy Political Leaders were there in your Gau?

THE WITNESS: Approximately between twelve and fifteen thousand altogether of them.

MR MCILWRAITH: Of Political Leaders?

THE WITNESS: Yes, those who were actually Political Leiters were all subordinate Kresileiters and other people who had their labor fronts and so on, the appointed political leiters.

MR MCILWRAITH: In his Gau between twelve and fifteen thousand, is that so?

DR. LINK: May I ask a question pertaining to this?

MR. MCILWRAITH: Yes.

BY DR. LINK:

Q Do you know, Mr Wahl, there were forty-two Gaus in Germany?

A Yes, I know that.

Q Do you know that the Prosecution accounts for about six-hundred thousand individuals for the Hoheitstraeger, including the Blockleiter, and Zellenleiter, the staff of the Kreis and Gauleiters, and the Reichslevel?

A Yes.

Q Do you ever think about the fact that this figure may be much too small, because in twenty-five years, from 1920 to 1945, the functionaries

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in the offices and positions have changed two or three times.

A Yes.

Q Would you make a statement to this effect; that on the basis of figuring the political leiters, from Block to Gauleiter,including their staffs, one would calculate a figure of about forty-thousand, who are charged by the prosecution.

A If that includes all those whom I have referred to up to now as aids,that is, the Block and Zellenleiters ~~only~~, one would reach a higher figure.

Q Do you know anything about whether the action in 1938 was organized for the political leiters,and executed by them in a unified manner?

A (Answering in German)

MR. MCILWRAITH: When this witness makes a long answer like this,half of it must be lost in the translation. (Discussion ensued about such translation) Will you translate what I have said to counsel, and perhaps he can stop these long answers,and you may translate what he has said.

THE WITNESS: Unfortunately I was outspoken. I was out of town . However, when I returned later I was interested in finding out just exactly what had happened,and I had attempted in every ~~which~~ way to clarify the situation. The only thing I could find out after those weeks was that there was no central direction, no focal point, and that these actions were undertaken by individuals in the individual cities; by individual actions you will find there are always excess elements who do such things.

BY DR. LINK:

Q Have you found whether in the lesser excesses which you stated

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before took place in smaller cities where political leiters were involved?

A Individual ones have participated. It was very much mixed . Here it was SA, there SS and somewhere else others again,and it was very much mixed up.

Q Do you know any subordinate ~~and~~ political leiters who had acquired Jewish property, or anything of that ~~way~~ sort,and had derived this from the expulsion of the Jews?

A I have rejected enriching myself. I know of several ones who had made an attempt to enrich themselves this way. I have always rejected to enrich ~~oneself~~ myself on Jewish property,and I know of only one case where a man without my authorization has done so, and he has acquired a Jewish house.

Q I was referring to political leiters,whether any German Nationals have acquired Jewish Property? I am not in any other way interested.

A I am only referring to political leiters.

Q Were political leiters either after the event of 1938, or even later ~~commissioned~~ charged with confiscation or securing of Jewish property?

A No.

Q Can you tell us whether the political leiters of your Gau. who always reported to you, approved of your attitude towards the Jewish problem, or whether they have followed your directives?

A On those questions the political leiters had approved my attitude essentially.

Q I have a few questions pertaining to the persecution of the church. The prosecution charges the political leiters also with participation in the

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conspiracy which is alleged to have been executed, or planned in your human actions for reasons against ministers or priests of the order of the church. Were you aware of any directives, and any authority which directed or ordered them, or little speeches which ~~was~~ were ordered ?

A I only know of directives emanating from Bormann.

Q What did they say?

A I was not particularly interested in these orders of Bormann's, ~~because~~ So I have not followed any of these directives.

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Q Why not?

A I did not have the impression that this was the attitude of either Hitler or the party. Rather did I feel that Bormann, even before entering the party, had that attitude and now that he was in a position of power he wanted to bring his views into practice.

Q Within your area were there excesses for religious measures?

A Never, no.

Q I must recall to you the action of the Bavarian Kultusminister, Adolph Wagner, which was directed against the crucifix in the schools, and you as gauleiter were dealing with that primarily?

A Since Adolph Wagner was not only gauleiter but also Kultusminister of Bavaria, he in his capacity ~~as~~ of Kultusminister issued this directive also directly to the landrate. When I heard of it, as far as possible I stopped everything.

Q In your gau was there religious freedom of worship and was it possible to have political and religious functions?

A In every respect.

Q Did the political leaders impede church activities?

A No.

Q Were you yourself or were political leaders known to you asked to resign from the Church or did you yourself ask for such resignations from subordinate political leaders?

A I had the impression that Bormann at the end had a big powerful position in the party and liked to see resignations from the Church, but I myself did not resign nor did I ask any one subordinate to me to resign from it.

Q You are not God Believing?

A No, I am a Protestant.

Q What was your relation with the Kultusminister in your Gau, did you have the High Catholic Ministers in your gau, and how ~~was it in gen~~ was it in general?

A My relationship with both confessions was a very good one and may I prove that by telling that when the Americans arrived, the Catholid Bishop in my gau capitol had given me a place of residence in the Bishop's house.

Q Can you give us any other example that you did not follow the directive of Bormann or other authorities in the gauleiter?

A Yes, I can give a typical example. When I went to XXXXX Bormann at the time when he invented and executed his so-called monastery property order he also sent an ~~temporary~~ emissary to me so that I could execute the transfer of the ~~xxxxx~~ monastery in my gau with the party. I asked the representative of Bormann who called on me personally whether they had lost their minds completely to execute such a method, particularly now when a heavy combat raged on all fronts. The Bormann representative said to me: As you know my Chief, that happens to be his hobby, and all I can advise you to do is to execute this order. He said to execute the order because, according to his knowledge, Bormann will no longer have a gualeiter according to what good they have done in the past but only as to how they have executed this order against the Church.

Q So you did it.

A I have explained to him that personally all the joy is being taken out of this work, and then after several weeks a deputy called on me again and asked me how far I was in this action. Several things had happened at the neighboring gaus but nothing had happened in mine. While I was still thinking over how to get out of this dilemma pertaining to this order, suddenly there was a telephone order by Hitler that this action was to be stopped.

Q How many foreign laborers were there in your gau, according to your estimate?

A Between forty and fifty thousand.

Q As you said that the gau Schwaben was primarily an agricultural one, do you agree with me that most of these people were working on farms?

A Yes.

Q What do you know about the mistreatment, beatings ~~tmxtmx~~ insults ~~and beatings~~ and so on which these people from the East or somewhere else were exposed to?

~~AXXXXXXX~~

A I know nothing of anything big.

Q What do you mean by "big", do you mean hundreds of complaints?

A That in one or the other camps or factories it may have been that the shelter or the food was not as good as it might have been desired, or that there was a certain lack of certain things there and the situation was put right again. That is what I meant.

Q In your capacity as gauleiter, did you have an opportunity to convince yourself personally how these ten thousands of foreign workers were sheltered and treated and fed?

A Yes, for this task I had two deputies, one of them was the Deputy of the Labor Front and the other was the Deputy of the Reich Food Estate. These people would come to me from time to time and they were directed to put a stop to all bad situations, and if they couldn't put a stop to them to report them to me.

Q Did you receive any reports to any great extent pertaining to the mistreatment of Poles and foreign laborers?

A No.

Q Are you acquainted with the directives which were issued ~~byx~~ putting a special restriction on workers of Polish nationality?

A I do know these directives.

Q How about it?

A I considered that these directives were comletely superfluous because every gauleiter or any outside official knew how to behave toward a human being whether they were Germans or anybody else.

Q You obviously are thinking of another directive. I am not referring to a circular which summarizes all of the directives pertaining to the treatment of the foreign laborers, but I am referring to a directive introduced by the Prosecution about two weeks ago, addressed to the Grobe Kabholinde???? according to which Polish workers were to be restricted pertaining to matters of church, visits, use of bicyles and the curfew and so forth.

A I beg your pardon, my error, I mean the circular pertaining to the basic principle of treatment. I do not know the last named directive.

Q In your gau were the agricultural workers of Polish Nationality treated any different from any other foreign workers ~~were treated~~?

A. They were treated equally well.

Q Do you agree with me if I say that foreign workers employed by the Landrate??? were treated the same way the German agricultural employees were treated?

A Yes, and whoever knows how kind is the Schwaben farmer will also know he will judge a person by his production and if his work is as good as that of the German worker he would have received the same treatment and same food as the German received.

Q But how is it that this directive was issued from the superior authorities with reference to the treatment of the Poles and yet you tell us that the Poles were not treated any differently from the Germans?

A I can only say it was because of the stupidity of the people who issued the order. I know of no other reaons. That was a special case and it was pertinent to one gau.

Q Do you want to say by that that the Reich Food Agent and the Reich Commissar Association who were the ones who really contacted the people did not actually put that into practice?

A The people who actually contacted us were working on the farms and were much too reasonable to execute such things, that was the so-called conference table.

Q I now turn to my next point: That the gau and it's political leaders are charged with mistreatment of enemy fliers who made emergency landings. I first submit that you were acquainted with the pertinent directives emmanating from Bormann, Himmler and Goebbels?

A Yes, I do know the directives of the two non-soldiers, Bormann and Himmler.

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MR. McILWRAITH: WHAT does he mean? Was Goebbels a soldier then?

INTERPRETER: The two non-soldiers, Bormann and Goebbels.

MR. McILWRAITH: Does he count Himmler as a soldier?

WITNESS:

A It was an error of speech. I meant Bormann, and Goebbels ~~and~~ but Himmler was not the same type of soldier which I am thinking of.

MR. McILWRAITH: Is he saying he did know the directives of Bormann and Goebbels and did not know the directives of Himmler. Ask the witness. I do not want counsel to answer.

INTERPRETER: ~~He~~ Counsel said "do you know the Bormann and Goebbels directives?" and he said "yes", and he asked him with reference to Himmler and he said: "Yes, he was acquainted with all three of them.

BY DR. LINK:

Q Did you receive these directives in your capacity as gauleiter or as the Reich Defense Kommissar?

A In my capacity as the President for the Reich Defense Kommissar. The directives from Bormann I received in my capacity as gauleiter and the directives from Himmler and Goebbels I received as Reich Defense Kommissar.

Q And what did you do in order to ~~publicize~~ publish these directives to your subordinates and to see to their execution?

A I did neither transfer nor execute these orders.

Q Why not?

A I was in the military service in the last world war and I had reason to know and to ascertain the knightliness of the soldier. From this knightliness point of view I have not issued nor transferred this order.

MR. MCILWRAITH: Will you please tell me what it was you refused to do? You refused to obey these orders? What were the orders you refused to obey?

WITNESS:

A The order of Bormann which came to the party.

MR. MCILWRAITH: But what was the order? That is what I want to get on the record.

WITNESS:

A As I recall it, I can't give the exact wording but it was that people who participated in lynching of fliers were not to be punished.

BY DR. LINK:

Q Did the political leaders in your gau, perhaps without your knowledge or your directives participate in lynchings?

A I do not know of any case of mistreatment or even the killing of an enemy aviator.

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Q How do you explain that? How do you explain the fact that the political leaders, taking into consideration at that time the great emotion of the population, did not participate?

A Because that essentially did not correspond to ~~thax~~ the decency of these people. Of course, there are always single individuals and I admit ~~xifxthisxdirxactiva that/aftarxthisxdire~~- that after this directive of Bormann had ~~nativexofx Barx/ofxBormannxwouldxhave~~ been ~~publicized~~ published, there ~~are~~ were always some single cases.

Q Is it correct that there would have been ample opportunity for mistreatment of enemy aviators because Schwaben was heavily attacked, is that correct?

A There were plenty of opportunities. I can tell of quite a few cases where the political leaders put fliers who had made emergency landings into vehicles and as quickly as possible they transferred them into captivity. ~~Foxmxmy~~ For my personal attitude I want to say that on Christmas of 1942-1943, when the first enemy parachutists and ~~xxx~~ aviators were at the Schwaben hospital I visited them in the hospital and I gave them the~~xsxmmxx~~ same gifts as I gave to the German wounded.

Q I come to the end now. I only want to put one question which seems to be important to me. From 1928 to 1945, that is to say, eighteen years, you were a gauleiter and you have testified before the Commission that you have taken a position opposing that of the official leadership concerning the Jewish problem in concentration camps, the church struggle and the lynch justice. You have declared that at times you have attempted to put over the opposing point of view by conferences with Hitler and in other ways. You were not successful, but nevertheless you remained a gauleiter until the last. Would you explain to the Court if it would not have been your duty if you do resent all of these concepts to resign from this office and put down your conscience, and that perhaps the Third Reich would have collapsed a bit sooner?

A I know it is very difficult to give an answer here which corresponds to everything but I want to say this: My gau was one of the smallest of the Reich. For twenty-four years I was politically active in one gau and one city. In that twenty-four years the population of this gau which was also thoroughly decent and ~~dear~~ clean had become close to my heart. If I would have resigned from my office Bormann would have enjoyed that. He really would have liked that, and the consequence would have been that another gauleiter would havebeen appointed, a gauleiter by the grace of Bormann, and based on the experience of the last few years I would have done many things differently and many things would have been handled in another way. I several times intended to resign after discussing that within the circle of my friends and family, but by the population I was asked again and again to remain at any price. If I had resigned it wouldn't have had any influence on the great decision anyway, because my gau was much too small.

Q Have you done everything within your view and from your opposing point of view you found wrong to alleviate and to ease?

A In the seventeen years of my activity I have always tried to alleviate any wrong. I only felt myself responsible for my area of work and for nothing else. May I state in connection with that, that the Catholic Bishop, and I am a Protestant, has declared to my daughter as late as May of this year, that he is always willing to testify before the Court to my good character and to testify in my case. My great misery and fault is that in my youth and sincerity I have seen something in the Nazi movement which in reality did not exist.

Q And this is my last question. Was there any possibility for you to contact Adolph Hitler himself and talk with him?

A Before 1937 that was possible once in a while, yes. Since 1939 I have tried three times seriously to contact Hitler, and not only did I use the telephone but I have attempted to exploit all possibilities to talk with Hitler. I was not successful even once and then I have tried to take another road, and this is too an example of Bormann's activities. Just at the time when I had made an application for a conference with Hitler, it happened that the Fuehrer had ordered a meeting and by a coincidence I sat in the same bunker where Hitler ate his dinner. Every time I attempted to talk authoritatively, being separated only a few meters from Hitler, Bormann suddenly stepped between us and asked what I wanted. I said that I felt that this was an occasion to discuss this matter with Hitler, and he said, well the matter you want to discuss with Hitler is finished already.

Q Finished how? In what sense? That the audience was granted?

A He had given me the information it was impossible to have a conference with Hitler, and that as far as he was concerned that finished the matter.

DR. LINK: That finishes my questions.

MR. McILWRAITH: Have you any questions, Mr. Marecco?

MR. MARECCO: It is ten to one now and I don't want to tie myself down.

MR. MCILWRAITH: You can start and we will stop at one o'clock.

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CROSS EXAMINATION

BY MR. MARRECO~~Q~~:

Q Are you here to give evidence for the NSDAP administration throughout Germany or are you here to only justify your own behavior with regard to the Gau Schwaben which you yourself ~~w~~said was one of the smallest in the Reich?

A ~~XX~~ I have come here to defend the honor of the political leaders all over the Reich. Of course, mainly I can talk about the things which I experienced in my own gau.

Q It is not possible, is it, to distinguish between the ~~600mx~~ 600,000 odd political leaders throughout the Reich and the policy of the National Socialist Party?

A I should like to say that out of the 600,000 political leaders ninety per-cent were surely all right.

Q But come now, witness, the political leadership and the party were one and the same thing, wasn't the political leadership the instrument by which the Nazi Policy was made manifest?

A It was supposed to put it into execution.

Q But it is not possible to defend the political leaders and at the same time ~~xx~~ condemn the party?

A No, but I have the impression that the top political leadership was to abuse the good political leaders.

Q If I understood the sense of the long statement you made just now it was this: You told the Commissioner that you often thought of resigning and you frequently discussed a possible resignation with your family, but as you were the ~~gmx~~ gauleiter of one of the smallest gaus in Germany and it was a healthy, agricultural gau with no great problems of it's own, you decided no purpose would be served by your resignation, and so you decided to remain in office, is that right?

A Yes, because I felt only responsibility for my sovereignty area. Remember we ~~do~~ did not dare ask questions concerning the Reich Policy.

Q Doesn't that mean that when you considered the fact of your resignation with your family and as you looked around you, you saw a lot to criticize and condemn in the other gaus?

A Yes, that is correct. I saw that in my neighboring gau.

MR. McILWRAITH: We will adjourn now until two o'clock.

(THE Commission adjourned at 1300 hours)

~~[illegible]~~

KARL WAHL - Continued
CROSS EXAMINATION - Resumed

(The Commission reconvened at 1450 hours)

COMMISSIONER: The corps of Political Leaders.

Lt. Col. A.M.S. Neave

COL. NEAVE: First of all I apoligise for the delay, but the Commissioner who was due to sit here has not arrived. I'll, therefore, continue with the hearing of this witness myself. Is he outside?

DR. LINK: Yes, he is outside.

COL. NEAVE: How far have you got?

MR.MARRECO: I'm cross examining this witness, sir, and I shall be about ten or fifteen minutes.

COL. NEAVE: Will you continue?

CROSS EXAMINATION RESUMED

BY MR. MARRECO:

Q. Witness, before the adjournment I was asking you about the conversation which you had with your wife on the question of whether or not you should resign your position as Gauleiter. Isn't the implication to be drawn from that conversation this - that you were ashamed of what other Gauleiters were doing, and that all around you saw things going on which you disapproved and wanted to disassociate yourself from?

A. Yes.

Q. That is true, isn't it?

A. Yes, that is true.

Q. Your little Gau of Schesaben was border on the North by the great Gau of Franconia where Streicher was Gauleiter, wasn't it?

A. I want to stress the point that the Gau of Schesaben was not much smaller than the Gau of Franconia. All the Bavarian Gaus are very small as are most of the Gaus in that district.

Q. Doesn't matter of the size. Was not your Gau bordered on the North by the Gau of Streicher? ~~xaxxxkk~~

A. Yes.

Q. And you knew of the sort of thing that was going on in Franconia? You knew about Streicher's Jew bating ad of the filth Streich was rising in his Sturmer?

A. I knew of those things, and I always rejected that foolishness of Streicher, as well as my ~~intxxxx~~ interior and exterior.

Q. And when you discussed these things with your wife, it was from actions of which you knew Streicher was guilty of that you wished to disassociate yourself?

A. Yes.

Q. Well then that being so, ~~ixxxxxxt~~ how can you come here and give evidence before this Commission in defense of all Gauleiters and Party administration throughout Germany? Isn't it true to say that the evidence you gave this morning is a personal justification and we should take it as such and no more?

A. I want to stress the point that it's not my task and not my wish here to justify all the Gaus. In the Gaulieters there were maniacs and blood thirsty fools as everywhere else.

Q. Well, witness, I just want to be clear - what the effect of your evidence is because as I understood you came here today to give evidence to rebute the prosecution's assertions that the Party administration - that the Party policy as it was given evidence through the Political Leadership, was a criminal one.

A. I have not come here in order to defend the national socialist regime, which has gone away without glory and has done a lot of bad things. I have come here only to restore the honor of the great many political leaders who were decent fellows and you have no part in the punishable deeds that have been commited by others.

Q. Witness, I'm not denying that there may have been political leaders who were innocent men, but did not you agree with me before the adjournment that it is quite impossible to distinguish between the policy of the Party and the political leadership which was the instrument by which that policy was made manifest?

A. MayI in short explain that. I only wish to stress the point that there have been bad and good Gauleiters and, of course, the bad Gauleiters wanted to exercise their plan in their own Gaus, and there were creatures who were quite willing to exercise those plans, but I must stress again that the great majority of the political leaders rejected those and took no part.

Q. If the great majority of political leaders were innocent, how was it you frequently discussed with your wife that you wanted to resign your position, because you did not approve of what was going on?

A. This was the case mainly because in my interior I rejected the conduct of many of our superior leaders.

Q. I see. Now, I just want you to look with me at two documents. This is a document the defense counsel mentioned to you in his examination in chief this morning. Sir, this is E.C. 68, which has already been put in evidence before this Commission.

COL. NEAVE: What is the title of this document?

MR. MARRECO: Directives on the treatment of foreign farmworkers of Polish Nationality.

BY MR. MARRECO (Continued)

Q. This is a letter, isn't it, from the Gauamtsleiter in the effect that Gauamtsleiters for agriculture to Kreisbauernschaften in the Gau, and the defense counsel this morning mentioned one or two of the points in this document. I'll just remind you of them. Parggraph #1 says, "Fundamentally, farmworkers of Polish nationality no longer have the right to complain, and thus no complaints may be accepted any more by any official agency." And paragraph #4, "The visit of churches, regardless of faith, is strictly prhhibited, even when there is no service in progress. Individual spiritual care by clergymen outside of the church is permitted." And Paragraph #5: "Visits to theaters, motion pictures or other cultural entertainment are strictly prohibited for farmworkers of Polish nationality." And #6 - Visits to restaurants prohibited, and #7: "Sexual intercourse with women and girls is strictly prohibited, and wherever it is established, it must be reported." And #10: "Permits to leave the village may only be granted in very exceptional cases..." And #12: "Every employer has the right to give corporal punishment toward farmworkers of Polish nationality, if instructions and good words fail. The employer may not be held accountable in any such case by an official agency." Paragraph #13, "Farmworkers of Polish nationality should if possible be removed from the community of the home, and they can be quartered in stables, etc. No remorse whatever should restrict such action."

That document gives a pretty good picture, doesn't it, of the sort of life these slaves led?

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Q That document gives a pretty good picture, doesn't it, of the sort of life that these slaves lead?

A It is a very sad picture that is given here, and that is one of the reasons why I wanted to get away from many things.

Q That document was distributed, was it not, to the Kreisbauernschaften who were the innocent experts attached to Kreisstadt who you say knew nothing about what was doing on at all?

A This document is confined only to the Gau Baden but I am quite aware that there may have been some Kreisleiters who had knowledge of these documents and executed the orders, but I am quite convinced that the majority of the ~~smaller~~ employees and experts who worked on those things laughed over those documents.

Q Witness, I am not suggesting that these conditions necessarily came in your Gau, though I don't see how, observing that Karlsruhe is only 150 kilometers from Ehren you couldn't be aware of these conditions. I am not ~~just~~ suggesting that this necessarily went on around in your Gau, but I am suggesting that this situation was widespread throughout Germany .

A I regret to say that one Gau was very strongly separated from each other, and the doors between those Gaus were much more defined than even before when there were hundreds of Kingdoms...

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Q But you are giving your evidence here, witness, for the Gaus in which these things went on, as well as for the Gaus in which they didn't. Will you agree with me that it was the duty, it was the clear duty, of any decent Kreisschaftenfuehrer when he got this order to resign his position?

A At least, he should have immediately protested against this.

Q Ought not he have done more than protest against a situation which ordered conditions of pure slavery for these workers?

A Such experts as were familiar with agriculture on the field should, of course, if their protest had not had any effect, have gone further in their personal standing opinion.

Q You told us this morning, and other witnesses have told us as well, that these so-called experts, outer circles of experts, were not informed about these things, knew nothing about them. ~~Do you mean to maintain this, and say that this outer circle did not know about this sort of things.~~ Are you still telling us that this circle of experts were not familiar with the details of the policy toward slave labor, and so on?

A Well, it is clear that even in those outer circles there have been men who have acted differently.

Q You are not answering my question. You see, witness, the prosecution doesn't dispute that there were a handful of men who acted as any decent man could be expected to act in these circumstances. My question is -- are you still telling us in view of the document that I put to you, that the outer circle of the Gau and Kreis staff did not know what the policy, and the treatment of slave labor was?

A As far as I have seen, this document emanated from the Reichslehrstadt, the Reichs Food Supply Office. This office is an expert of the Amt. I can only find one explanation, that is, that the director of this Amt knew his Gauleiter pretty well and in order to please him he printed this document and had it sent to the Kreisleiter.

Q It doesn't really matter where it came from, the document speaks for itself in all its brutality. What is important is the distribution. It went to every Kreisbauernschaften in the Gau and they all knew what the policy of that Gau at least was toward slave labor.

A May I stress the point again that most of these leaders of Kreisbauernschaftens who received these circular letters were experts and peasants to whom it would have been quite impossible to see to the execution, and to even conceive the execution of such a stupid measure and the announcement contained in the letters.

Q Witness, we have had one of them here before this Commission. Did you know the Kreisbauernschaften Johann Adam Mohr?

A He was not a Kreisbauernschaften. He was Landesbauernschaft of Main-Franken.

Q He would have seen that document, would he not?

A That is not quite sure. He might have seen it; in the other Gaus nobody knew of it.

Q Well, Mohr is pretty typical of the kind of man that Kreisbauernschaften were. Mohr is an intelligent farmer. He is not just an ignorant peasant.

A Mohr was a Gau peasant leader of Main-Franken and at the same time a practical farmer and leader of the Gaubauernschaften. He was in this capacityin Main-Franken as the man who has sent out this document was for Baden.

Q But was such a man with a great measure of leadership, expected of such a man?

A Mohr would never have ~~xx~~ sent out such a document. He was a reasonable, prac tical man, and if you will permit me to say so the man who wrote that document was crazy. It is inconceivable that a man who had practical experience could expect that document to be obeyed.

Q You said this morning that these documents were sent out, but in fact never obeyed. Isn't that pure nonesense? Are you going to tell this Commission that there are plenty of farmers in the country who would jump at the opportunity to inflict a corporal punishment on the people if their government gave them a blank check to do so?

A There may have been some cases of course, but I must say that the great mass of peasants reacts quite differently. I came from a Gau which is fundamentally agricultural, and there are more peasants than anything else, and I know that the ~~peasant~~ peasant estimates his laborer whether he is a foreigner or not, and a good laborer is well treated, well fed, and is not sent to the stable to sleep. But I repeat there may have been some exceptions.

Q You see, witness, just because they gave them a blank check to flog their laborers and to make them sleep in stables - the political leaders regarded them as criminals.

Now, just look at the second document. This is Document D-884A. Al~~f~~so already in evidence before the Commission. It is a letter from the Gaustabsamtsleiter of Baden/Elsass dated 1944, and entitled "Employment of Foreign Nationals". This is a document, witness, which lays down the action to be taken when foreign female laborers become pregnant. Just look on at page two: "Should foreign female women have been induced to sexual intercourse by the German man (for instance by taking advantage of a condition of dependency), she will be taken temporarily into protective custody and then sent to another place of work. In other cases, the foreign female worker will be sent to a concentration camp for women."

And then look over on that page -- when these women have their children their children are to be taken away, and if investigations show that the pregnancy be racially satisfactory and hereditarily healthy, they will go to homes for foreign children, to be looked after by the National Socialist Welfare Organization and will be looked after by families; and in the negative cases the children will be lodged in foreign childrens nurseries.

And now, look at the distribution of this document. To the Gauobman of the German Labor Front, Gau Propaganda Chief, Gau Press Office Chief, Gauamsleiter of the Bureau of Racial Policy, National Health, the Peasantry, National Welfare, Questions of Race, to the Gau Women's Leadership, to the Gau Labor Office, Baden/Alsace, Kreisleiters, Kreisobmanner of the German Labor Front, Kreis Peasant Leaders, and so on.

You see, are they not just those people you told us didn't know anything about this?

A I may stress the point that just because of this distribution it is quite clear that the man who edited this document, Gaustasamtsleiter of Strassburg, quite incidentally the same who has edited the other document, this man wanted to give himself unheard of incredible importance, and that it is mere nonesense to send these papers to people who had in reality nothing to do with these matters.

F: Well, look over at page - turn over to page four - four pages, until you get the letter from the Kreisleiter of Villigen. You see it?

A Yes.

Q You say that he was distributing these letters to people who were taking no action on it. Just look here what Haller says. The exact statement on the cases of pregnant women already occurred is no longer possible, because these cases were not registered with any authority, as I found out ~~only~~ until now there were exactly twenty-two pregnancies, of which four abortions are said to have been carried out, whereby two of the women died. Of the remaining seventeen births, five were still-birth. The NSV did not care for these cases.

That was really murder, wasn't it?

A May I state, on the principle of the thing that that sort of regulation I loathe and I have always loathed as much as the Tribunal does.

Q You knew then that this sort of thing was going on in some Gaus?

A I had no knowledge of that much nonesense. That there was so much of it I would not have believed.

Q I am not suggesting for a moment that this sort of thing went on in the Gau Schwaben, nor that this document I put to you came from the Gau Baden-Elsass. What I am suggesting is that this thing was widespread and in a large proportion of the forty-two Gaus in Germany.

A I deem it partially possible, but not to that extent.

MR MARRECO: No further questions.

THE COMMISSIONER: Col Orlov?

BY COL ORLOV:

Q Have you studied the book, "Mein Kampf" very thoroughly? You have understood, have you not, that Hitler was about to execute everything that he had written in that book?

A Not everything; all of it was not quite clear.

Q You have stated this morning, have you not, that you had a talk with Hitler concerning treatment of political enemies?

A Yes.

Q This talk took place in the years of 1936 or 1937?

A Yes.

Q And you thought, didn't you, that Hitler might let the political enemies go free and get out of concentration camps, didn't you?

A Did you refer to the implication that he would leave them go out of the concentration camps if he had an island?

Q You have said, have you not, that you asked Hitler to free all political enemies which he kept prisoner in Gau Schwaben?

A Yes.

Q Have you forgotten what the same Hitler did to his political enemies in the summer of 1934?

A I have always deeply regretted what Hitler then did to his political enemies.

Q It is not a question here of whether you regretted it or not, but it is a fact that you are well aware of the very short way Hitler used to treat his political enemies, he treated them in a very short manner, didn't he?

A I was aware of the fact that he locked them up in concentration camps, but that there have been more than that I have only heard to my deepest regret in this Tribunal.

Q Then you had no knowledge that many political enemies of Hitler were murdered in the year 1934?

A No, I have no knowledge of that. I should not even have thought of such a thing, because the outer signs which we have seen pointed to something quite different.

THE COMMISSIONER: Is the witness saying that any of the political opponents of Hitler were killed in 1934? Is that was he is saying?

COL ORLOV: Yes, that is what he is saying.

THE COMMISSIONER: I just wanted to make sure that it is clear in the record.

THE WITNESS: May I make a correction here. There is an error. Of course, I had knowledge of the men that were killed on June 30th.

THE COMMISSIONER: Isn't that what Col Orlov told him about?

COL ORLOV: Of course.

THE WITNESS: I thought you were talking of socialists and democrats and political enemies.

THE COMMISSIONER: We are talking about the word political enemies.

THE WITNESS: The term political enemies must not lead you astray because I did not see the men who were executed on the 30th of June; I didn't see political enemies in those men at all.

BY COL ORLOV:

Q You witness, are the man the political leaders were subordinate to, have made propaganda during the years made national socialist ideology, have you not?

A Yes, I have done so. But in a manner which could be excused before the people, because I rejected all government by force, all brutality, in all the years I have been in the government.

Q You see, don't you, that you and all the political leaders therefore are responsible for ~~what the~~ all the crimes that have been committed?

A In my Gau there have been no political crimes. If Jews have been expelled and later on, as I have heard to my horror now here, later on have been exterminated, these were measures by the Reichs which have been taken by the Gestapo and Himmler, and executed by them too.

Q So you think the national socialist propaganda you have sponsored for 17, no, 23 years, that propaganda does not mean a thing?

A May I state that the Gauleiter was only responsible for his own area.

I think that if in my Gau there had happened anything which is not compatible with moral laws, then I don't think that the representatives of ~~the~~ all confessions were ready to give me a certificate of goodconduct today. I don't think so.

H1017-0053

Beatrice

Boa

John Rubin

Robert
Bob

David Ruffner

Q And the fact that you have advocated a great number of young men in national socialist instructions, doesn't mean anything either?

A That was under the authority of the Youth Leaders, but as far as I have intervened in those matters, the measures remained in the frame I have described already today.

Q And you, in your capacity as Gauleiter, you had nothing to do with that?

A Not directly with the youth, no. The youth was quite independent an organization of itself, and that point has always been stressed.

COL ORLOV: No more questions.

THE COMMISSIONER: Do you wish to re-examine, Dr. Link? When did this witness come on. How long has he been heard?

DR LINK: Do you refer to my questioning only?

THE COMMISSIONER: When did you begin?

DR LINK: About ten past ten.

THE COMMISSIONER: All right.

BY DR LINK:

Q I want to ask only a few questions, but I would like what I am going to say now out of the record.

THE COMMISSIONER: Do you have any questions, or are you going to address me -- which?

DR LINK: I want to address the Commission, and then I want to ask some questions of the witness.

THE COMMISSIONER: Before we decide this will be off the record, you must tell me what the conversation is going to be. What has now been said is still in the record.

DR LINK: Yes, sir. One of the attorneys of the prosecution has discussed the question why the witness has been called here, and I have only to stress the fact that the witness has not been brought here as it was thought of, for his personal justification. But because he was to be questioned, as I have said at the beginning of the questioning, and he has been questioned with regard to 1 and 3 of 6A of the decree of the 13th of March. That is, namely, what were the aims of the Gau in the group that has been charged here in the sense of this charter?

THE COMMISSIONER: Dr Link, I think we can cut this quite short. It's perfectly simple. If you wish to make that clear, ask the witness to clarify his answers to the prosecution during your re-direct examination.

DR LINK: Yes, sir.

BY DR LINK:

Q Witness, have you testified here in order to justify your personal position, or have you come here to give us information as to the coordination of ~~the~~ persons with the clear plan in view of committing crimes in the frame of your Gau?

A It was far from me to come here to testify myself. I came here to restore the honor of the many subordinate political leiters which I have known in my Gau.

THE COMMISSIONER: Dr Link, is that exactly the answer he gave to the prosecution?

DR LINK: Yes, sir.

THE COMMISSIONER: Isn't that point cleared up, then?

DR LINK: Yes, sir.

THE COMMISSIONER: I am quite satisifed that it is myself.

DR LINK: I would like to have a look at those two documents, and if the attorney for the prosecution would kindly place them at my disposal I would not have to interrupt now and go to my office.

THE COMMISSIONER: He doesn't seem to be here. See if he is around outside there. He may be i n 234. Tellhim to come here immediately.

BY DR LINK:

Q Do you maintain that in your Gau you have not received the document dealing with the Polish workers?

A I have never received such a document, and if I had received it I would have thrown it in the waste paper basket.

THE COMMISSIONER: Dr Link, you need not ask that question again. He has already testified to that.

DR LINK: I have asked this question again because if I am not mistaken the prosecutor has asked the witness: "This morning you have stated that you have received this document." I wanted only to clarify this point.

THE COMMISSIONER: Oh, I see, all right, go on.

BY DR LINK:

Q Did the Kreisbauernfuehrer belong to the staff of the Kreisleiter? To the large circle of the staff in the capacity of expert, as you have already mentioned in this morning? The Reichsbauernfuehrer as deputy of the Reichsnachrstand, or the expert in the matters of agriculture. Will you please distinguish between those two?

A This was generally a personal union, and where this was the case, there ~~tx~~ were two persons, the agricultural expert and the Kreisbauernschaften.

Q Do you maintain that in your Gau the Polish or other foreign workers were treated in the same way as German laborers?

A Yes, I maintain that.

Q With regard to the second document, I have to ask: You have answered the question of the prosecutor

H1017-0058

with regard to the distribution of the document, that from the very fact that this document has been sent out to many different offices which had nothing to do with it, that ~~xx~~ from this very fact one can derive that the man who sent it off wanted it in the office. And I put it to you, that you have been shown on this document only two parts, and that in the document there are a certain number of other matters dealt with, don't you know that?

THE COMMISSIONER: Aren't those copies of the document there on the table? On the interpreter's table. Yes, one document. And the other one is on Mr. Marreco's desk. Show those documents to Dr. Link. I think they are, Dr. Link, the documents which you require.

BY DR LINK:

Q I don't want to put it to you, but I want to ask you whether you know that?

A Yes, I think so because of the volume of the document.

H1017-0059

Q I don't want to put it to you but I want to ask you only whether you know that.

A Yes, I think that is so, because of the volume of the document.

Q And you are aware that the distribution, of course, deals with the whole of the document?

A Yes, I thought so.

Q Do you mean to imply that your testimony on the principle isn't changed with regard to the expert officers of the staff by the fact that you have been shown now 2 documents which clearly were directives in a political sense?

A In what was shown here we have to show, in my opinion, an exception. On the principle the situation was as I have described it.

Q Have you understood from the book "Mein Kampf" that should Hitler come into power he would throw his political enemies into concentration camps?

A No, in no way.

Q What was your view of the persons that have been shot on June 30, 1934?

A I have dealt with the matter in detail. At that time I was horrified at Hitler's way to deal with those people. Later on again I tried to make inquiries and all I was able to find out was that those people were engaged in making a sort of putsch/

Q Did you not consider these people as political enemies of Adolf Hitler?

A The term "political enemies" could not in my opinion be applied to those people because they were National Socialists too and they only disagreed on the course which was to be followed. They wanted to get the power in their hands by way of a putsch whereas Hitler wanted to wait.

Q Hitler was already in power at that time, wasn't he? Do you mean to say that they wanted to push on the revolutionary reconstruction quicker after 1933?

H1017-0060

A I have stressed the point formerly because even before the coming into power of Hitler there were certain currents in that circle of Roehm to go forward quickly and later on these people wanted to get more revolutionary power in their hands.

COMMISSIONER NEAVE: I think this point has been quite adequately covered.

DR. LINK: I have no further questions.

COMMISSIONER NEAVE: Well now, will you want this witness kept in Nurnberg?

DR. LINK: I would suggest that he stay for a little while because we have to make up our minds as to the choice of the different witnesses for the Tribunal.

COMMISSIONER NEAVE: Very well. The witness may be excused.

(The commission adjourned at 1610 hours.)

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The foregoing is a true and correct transcript of the testimony of KARL WAHL, taken on 15 July 1946.

Alice Meehan
Reporter (pp 1-10)

Charles J Gallagher
Reporter (pp 11-22)

Rose W Cook
Reporter (pp 23-36)

Bernice Winkler
Reporter (pp 37-40)

Bioki
Reporter (pp 41-56)

Mabel A. Lesser
Reporter (pp 57-58)

CERTIFIED TO:

AM Neave Lt Col
Commissioner

H1017-0061

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE
OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION
APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL
PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE
TRIBUNAL DATED 13 MARCH 1946.

15 July 1946.

COMMISSIONER:

Mr. McIlwraith.

THE POLITICAL LEADERS

(The Commission convened at 1000 hours)

KARL WAHL, a witness, took the stand and testified as follows:

BY THE COMMISSIONER:

Q What is your name?

A Karl Wahl.

Q Please repeat this after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

You may sit down.

Q Will the defense counsel state his name and the organization for which the witness appears.

DR. LINK: My name is Link and I am here for the organization of Political Leaders.

DIRECT EXAMINATION

BY DR. LINK:

Q The witness, Wahl, has been the gauleiter of Gau Schwaben in Bavaria. He has been gauleiter from 1928 until 1945, therefore, he will be able to give information in detail as to matters concerned in Point 6-A of the decision of the Tribunal of the 13 March 1946 and I intend to question him on that subject.

MR. MCILWRAITH: Will you be more precise and say what is the exact evidence that you are going to give?

DR. LINK: I shall ask questions of the witness concerning the matters in Numbers one and three, especially as to whether the organization was created by people joining with the intention of committing crimes in the three indicated directions, especially as the witness was the highest officer in the

H1017-0062

Gau of Schwaben, I intend to question him as to the aims, methods, purposes and acts committed by these organizations. He was the head officer not only before the coming into power of the party, but even after the collapse of Germany.

MR. MCILWRAITH: When you say these organizations, do you mean the Leadership Corps?

DR. LINK: I am speaking of the organization of Political Leaders, which I am to defend and which may be subdivided as far as my opinion is concerned into several groups and sub-divisions.

MR. MCILWRAITH: Very well.

BY DR. LINK:

Q Witness, you are today 54 years old and your professional talent is municipal secretary. Altogether you have been a soldier for nine years and you joined the National Socialist Party in 1922?

A Yes.

Q In the year 1928 you became a gauleiter?

A Yes.

Q You remained a gauleiter until the collapse of Germany?

A Yes.

Q In 1935 you became the president of the Government, which is the highest authority of the state in your Gau?

A Yes.

Q Am I wrong if I say that you are the oldest Gauleiter in service, or at least one of the oldest Gauleiters?

A One of the oldest Gauleiters.

Q I will stop here with the personal data. First of all, I want to ask you a few questions concerning the organization book of the NSDAP, which is well known to you. The prosecution has decided this organization charter is the official document of the NSDAP and has submitted it to the Tribunal under Document PS 893. According to your opinion and to your knowledge does one have to consider the organization book as the official directive for the party?

A In the organization book one can find the whole organization nonsense of Dr. Ley.

Q Do you mean to imply by that that the organization book had gained no practical value?

A It was not the official regulation book and had no practical value at all. It was just a theoretical document.

Q Did the political leaders make speeches in conformity with the organization book, or did they not?

A Not in my Gau - never.

Q Did you know the organization charter in detail?

A I did not. I never read it, I only went through it.

Q How then can you explain that this book had been edited again and again and that the editions had a very large volume?

A One has always exaggerated with official books of the party and this was the case too for the organization charter. Down to the Ortsgruppenleiter everyone was obliged to buy the book. The main idea was that this edition make a good profit.

Q If you say that you did not know this book, you mean to imply that the political leaders of your Gau, who were your subordinates, did not know the book?

A I may say that this organization charter was one of the least read books in the whole Reich. It is possible, however, that such political leaders who were very directly connected with the party such as personal organization leaders did know this book. Then again there were many pictures in the book and that may have been the reason for many political leaders to glance through it. There were all the colors of the fantastic uniforms as mentioned by Dr. Ley.

Q What is your knowledge as to the position taken by Adolf Hitler himself with regard to all these fantastic uniforms and organization imagination as conceived by Dr. Ley?

A If I am to conclude from the directives I received immediately from Hitler, I have to say he had to refuse strictly this organization charter. He was always against too much organization and he himself dispatched a memorandum to us in 1932 in which he stated his desire to have organizations kept to the strictest minimum.

MR. MCILWRAITH: What does he mean by refusing the book? He said that Hitler refused the book, what does he mean?

DR. LINK: It seems to me that the witness means that Adolf Hitler wanted as little organization as possible and he had to refute the over-organization and all the dreams submitted by Dr. Ley.

MR. MCILWRAITH: I would prefer the witness to answer.

THE WITNESS: In his memo in 1932, to which I referred a while ago, Hitler stressed the point that there should be as little organization as possible. He did that in a sentence, which I still remember and which is as follows: "One should not organize what can be organized, but one should organize only what absolutely has to be organized."

BY DR. LINK:

Q What is your opinion as to the term "Hoheitstrager."?

A Hoheitstrager is a term conceived by Dr. Ley too. In my duties, I never used the term "Hoheitstrager", and the political leaders refused these terms. They never felt as sovereign men "Hoheitstragers" but as humble servants of the population.

Q Do you agree with me that apart from Adolf Hitler himself, the Gauleiter, the Kreisleiter and the Ortsgruppenleiter belongedto the category meant by Hoheitstragers?

A Yes.

Q What about the blockleiters and zellenleiters?

A It is my own view that the blockleiter and zellenleiter were no Hoheitstragers. They were only modest helpers of the Ortsgruppenleiter.

Q Do you know that there are a certain number of regulations regarding the fact that only down to the Ortsgruppenleiter, they are Hoheitstragers?

A Yes.

Q But, in the organization charter later on the blockleiters and zellenleiters are written down as Hoheitstragers. Do you mean to say that after this organization charter, there was a change in the position of the blockleiters and zellenleiters as far as their position as helpers of the Ortsgruppenleiters was concerned, or was there no change?

A No, there had been no change.

Q This was only then a theoretical organization regulation?

A Yes, only a theoretical order by Dr. Ley.

Q The prosecution has said that the political leaders and especially the blockleiters and zellenleiters were little Nazi Kings. Did the political leaders of the lower grade have any legal police authority, which could justify this implication?

A No, they had no sovereign rights.

Q That means neither legal or police authority?

A Neither legal nor police authority.

Q What was the main task of the blockleiters and zellenleiters?

A The blockleiters and zellenleiters were the helpers of the ortsgruppenleiters in technical questions. The main task of the zellenleiters and blockleiters was to collect the contributions of the members of the party, to sell cards and to collect money for the NSD and such tasks.

Q What were the directives the blockleiters and zellenleiters had received through the ortsgruppenleiter from you as to the point of having to spy on the population and if necessary to denounce such persons who did

H1017-0066

not agree with the point of view of the party.

A I have never received such orders and I have never given any such orders either.

Q In this organization charter, which has been mentioned, there is a passage where it is stated that the blockleiters and zellenleiters had to find out such persons who spread damaging rumors and had to denounce them.

A This is not in accordance with facts.

Q Would it have been in line with the task of the blocklieter and zellenleiter, which was asked of them, if they had spied on the population and eventually denounced persons?

A No.

Q Why not?

A Because if one had given such orders to these unimportant people, there would have been abuses which one could not have stood for.

Q Have there never been regulations to these unimportant people, as you say, to find out who in your Gau had spread damaging rumors and for instance establish files?

A In my Gau this was not the case.

Q I want to take a very practical example. Let us imagine that in your Gau some party member grumbled about Adolf Hitler.

A It is a fact that if such a thing should have happened and if a blockleiter and zellenleiter had heard of it, then he should have denounced them, but it was not his duty.

Q You mean to imply by that it was not part of his specific duty as a political leader to establish those facts?

A Yes.

Q Do you mean to say furthermore that such information as was asked from him in this regard would have been asked from any party member?

A I wanted to say that.

Q Did the Hoheitstrager, whether they were only blockleiters and zellenleiters or even ortsgruppenleiters have any authority for assignment with respect to party members?

MR. MCILWRAITH: I thought that you said the blockleiters and zellenleiters were not Hoheitstragers ?

DR. LINK: I have not expressed myself clearly enough. I merely wanted to bring forth another example that they were not Hoheitstragers.

THE WITNESS: The so-called Hoheitstragers had no authority for assignment with regard to the organizations.

H1017-0067

BY DR. LINK:

Q How was it with marches and common manifestations?

A If the so-called Hoheitstrager needed parts of the organization, he had to ask for them politely.

Q Have you knowledge of the decree of 1941 or 1942 according to which party members who refused to take over a party office were likely to be tried by a party tribunal?

A I have knowledge of this decree. It had been established because it had become difficult to find out the political leaders and this was meant to bring about a certain pressure in this regard.

Q I want to finish this part of the questioning. I want to consider very shortly one staff, that is the Kreis staff. I refer once more to the organization charter, then in the area of the Kreisleiter and Gauleiter there were offices which may be decided as having character of political leadership and these offices apparently had to have someone who was in charge. What would you consider such an office.

A I would consider as political amts, the education amt, the staff amt, the propaganda amt, the employees amt, the treasury amt and the organization amt. All these were to be considered as technical offices. Then there were clearly professional technical offices. For instance, the Amt Protective, the Amt for public health, the amt for agriculture problems and the amt for economical problems.

Q Do you count the amt for war industry in this category?

A Yes, this amt belonged to the category.

Q Is it correct that in these groups all professional amts that is professional organization such as the Reichs National

H1017-0068

Socialist Professors organization, which was an organization in itself. Did they have a liaison man in both the gauleiter and kreisleiter offices?

A Yes, there were such liaison men.

Q Do you call those so-called staff officers as political officers or as professional officers?

A They belonged to the professional amts.

Q Is it correct to say those professional amts belonged to amts for instructors and for officers of the legal amt?

A Yes.

Q What about lecturers and students? Were they connected too with the staff of the Gauleiter or Kreisleiter or did they have a special group again.

A The students were a special group. In my Gau there were no students at all as there was no university.

Q Therefore no lecturers either?

A There were no lecturers either in the Gau.

Q In what way were the NS Womens organizations connected with the staffs of the Gauleiter or Kreisleiter?

A There were women leaders of the Gau organization of the women's organization of the Kreisleiter organization and of the Orts organization.

Q Were those women that were the leaders in the organization under the offices of the Gauleiter and the Kreisleiter?

A Yes, in the Gau were the Gau leaders of the womens organization and also such office in the Kreisleiter and in all the smaller groups there were the leaders in office.

Q I have not quite understood. Is it to be understood that the same woman who was the leader in the Orts, Gau or the Kreis was at the same time the liaison with the staff of the Kreis, Gau or Ort?

A In a general way, yes.

Q Therefore, there was a personal union?

A Yes.

H1017-0069

Q Was this personal union effected in the other professional Amts, that is, the personal union between the leaders of the organization, and the staff officers of the Kreisleiters and the Gauleiters?

A In a general way this was the case in the other professional offices, too, but one should not see those offices on as large a scale as they were mentioned in the organization charter. There you see a great number of different organizations, whereas, in reality very often one or tw o persons were in charge of all those organizations altogether.

Q Is it incorrect if one states that the men who were in the offices of those staffs - in those professional officers of the staffs of the Kreis and Gauleiters were merely technical counsels of the Kreis or Gauleiters?

A Yes.

Q I will go into another question. The Prosecution contends that the talks and discussions of the Political Leaders are proved to be a part of a political conspiracy; which repeated talks and discussions have you ordered, or at which assemblies of a regular character have you taken part?

A Personally, I have arranged talks between what is called the Gauamtsleiter and the Kreisleiters. At those assemblies the leaders of part of the organizations were present, too. Furthermore, I have made speeches in the towns, as well as in the country of smaller assemblies. In those assemblies there was an open and free discussion. Personally, I have attended only the meetings whi were called Reichsleiter Tagung(meeting), and Gauleiter Tagung, and Kreis and Gauleiter Tagung, but during the last ten years there were no more discussions.

Q Were the chiefs of state authorities and other interested authorities invited from case to case and according to the Agenda, to take part in the first named group of discussions, that is discussions of the Staff officers with the Gauleiters which were also attended by the Organizations and formations?

A In a general way the agenda were questions of leadership. Questions that were of the day, and during the war special questions regarding the organization.

Q Were these talks secret?

A No, they were not secret.

Q As to the press, did they attend them?

A Yes, there were reports of every meeting in the Press.

Q Have there ever been any discussions in connection with constructional activities which were in connection with the planning, promoting, or executing of war crimes, or crimes against humanity, and aggressive wars?

A There has been neither discussion, nor even short consideration of these things.

Q Do you have knowledge of the order of keeping these matters a secret, an order by Adolf Hitler. I am referring to a decree which was to a large extent posted up in all offices, according to which nobody had a right to know more about the matters than was absolutely necessary for the execution of his personal orders?

A Yes, I know this order.

Q Has it been considered in reality?

A Yes, it has been considered in reality.

Q Down to which grade have the officers received the newspaper, the

"Hoheitstraeger"?

A The newspaper "Hoheitstraeger" Is a work of Dr. Ley. This paper was as popular and read as little as the Organizations Charter was read. The edition had a large number only for the reason that there was a pressure exerted as it was in the case with the Organizations Charter, too.

MR MCILWRAITH: But you have not answered the question. The question was down to which rank it read?

THE WITNESS: Down to the rank of Ortsgruppenleiter.

BY DR. LINK:

Q You have stated that the Hoheitstraeger had no authority for assignments with regard to the SS. Do you want to go as far as to say that Political leaders had no influence as to the working fields of the SS?

A Yes, I wanted to say that.

Q The establishment of concentration camps, and the supplies for the men which were interned there, were under whose authority?

A May I ask that this question be repeated. I hav not understood it.

Q Whose duty was it to establish the concentration camps, and to provide supplies for the persons interned therein?

A Only the SS.

Q You mean to say that the Party itself, and the Political Leaders had no part in establishing, supervising, and supplying the concentration camps?

A They had no part whatever.

Q Had the Political Leaders a legal or actual possibility to visit the concentration camps, and to make themselves familiar with the institutions therein?

A No.

Q And during your capacity as Gauleiter, did you have that possibility there?

A If I wanted to enter those camps I had to make a demand to Himmler.

Q How many concentration camps have you visited?

A I have visited one concentration camp. I have visited one concentration camp and that was the concentration camp of Dachau, but that was already in the years of 1936 or 1937. I had visited at that time the concentration camp of Dachau because as I may state here, I have always been a sworn enemy of all concentration camps. I have not only been a theoretical opponent but in the practical field I have very often opposed these camps. I have gone to several superior offices with regard to that matter, and I often had a talk with Hitle about them. At that time I said to Hitler that I saw no reason why political opponents should be locked up behind barbed wire, and so far as my own Gau was concerned, I saw that there was no danger at all in letting them free. I may stress the point that I was not against those camps, because I might have had a slight thought even of crimes that were committet in the camps; because as a simple man, as a Christian, I could never think that a movement which gav so much protection to even animals, and the young life, could have so barbaria measures taken by Barbarian Nationals.

MR MCILWRAITH: He said "So Barbarian measures" So Barbarian as what?

THE WITNESS: I said, barbarian measures as have been brought to open ligh now in this trial. May I come back to my talk with Hitler. Hitler told me that at that time - the first time that he had heard of the proposal of letting th political enemies run free, that he did not want to leave these damaging and disturbing elements alone and let them damage the reconstruction.

MR MCILWRAITH: When was this talk with Hitler?

THE WITNESS: This talk with Hitler had taken place either in 1936, or 193 but it might have been 1938, too, and he shouted at me, "Give me an Island. If you give me an Island I will put those political opponents with their dependant on the Island, but as long as I have no Island, they have to stay in concentration camps." I have tried to see Hitler once again with regard to this camp, and one occasion was when the collecting of woollen articles in the winter of 1941 for the benefit of the Wehrmacht, when the result of this collection was very marvellous, such a success that I worked out a very carefully established demand at Hitler's office in order to have the amnesty for these concentration camps,I have never received an answer to these demands which I prepared myself with the utmeost care.

H1017-0072

BY DR. LINK:

Q Have you acted accordingly to your ideas of not bringing political enemi into concentration camps?

A Yes. I have been a Gauleiter for seventeen years, and during all these years I have never brought any one into a concentration camp, and I have never deprived anybody of his freedom. On the contrary I have helped a certain number of people to get out of the concentration camps, or out of prison.

Q What about your political leaders?

A They acted in the same way, because they were aware of my political idea·

MR MCILWRAITH: Have you many more questions, Dr. Link?

DR. LINK: I have finished with about half of the questions.

MR. MCILWRAITH: I think we will adjourn for ten minutes.

(Recess)

MR. MCILWRAITH: Will you continue with your examination, Doctor Link.

BY DR. LINK:

Q Mr Wahl, what was your connection, and in which way did you cooperate with the SS or the SA, or the Gestapo in the Gau?

A Generally it was a good relationship. However, it was unavoidable that there were controversies with the Gestapo.

Q What do you understand by good cooperation?

A I attempted to get along with all authorities as far as possible.

Q You mean in your official relationship?

A I mean in my official relationship.

Q I have several questions to put to you pertaining to the persecution of the Jews. The Prosecution charges crimes according to paragraph six in connection with the basic anti-Semitic attitude. What did you yourself, and the Political Leaders of the Gau know about the intended solution of the Jewish problem?

A The Party line before the seizure of power, it spoke differently from the way it spoke after the seizure of power. Before the seizure of power they said that only certain Jews would be removed from influential position, and that no harm would come to the average little Jew. That Is the way it was represented at that time, and those were the conditions under which I joined the Party.

Q What do you know about the things which happened after the seizure of power pertaining to the solution of the Jewish Problem. Was it a problem of your Gau?

A I was horrified at finding the Gestapo removing Jews from my Gau without first asking me about it. I frequently asked the Gestapo, "Where did you get the orders to do such a thing; what happened to these people." and they answered

"It was Himmler that these people were sent to the concentration camp where they were sorted out according to their profession, and I asked what happened, and they took them and said they would be employed accordingly.

Q Were there many Jews in your Gau?

A I estimated them to have been approximately three-thousand. I could not stop the expulsion of Jews, but in many cases I saw to it that in individual cases they were at first to be pwermitted to remain.

Q Would you care to explain to the Commission here now the Landsmannschaft organization of your Gau. What I want to say by that, was it rural or an urban district organization?

A With the exception of Augsburg it was pronouncely a rural district, or G

Q How were the greater part of the Jews, in the city or in the country?

A They were to a greater part in the cities. There were three to four communities (Gemeinden). They were larger in numbers.

Q What was the effect of the Jewish boycott in 1933. What happened at that time?

A Per se, the only thing which happened were periodical press notices asking not to buy from the Jew. It also happened that the Nshako, which sat as Nazi Commercial organization, for reasons of competition, took such executive steps on their own in order to eliminate competition, that is practically all that happened.

H1017-0074

DR. LINK. The Nschako had been dissolved later.

MR MCILWRAITH: Is that a question or a statement?

DR. LINK: It is for the record as a statement.

MR MCILWRAITH: Counsel will remember he is examining the witness, and confine himself to questions only.

BY DR. LINK.

Q Witness what had happened in you Gau on the 10th and 11th of November1938

A On 8th and 9th of November, I was not in Augsburg. Unfortunately I was ill in a sanatorium ouside. My deputy notified me immediately. I was notified after the people attempted to do something against the Jews. I had ordered him that under all circumstances he was to do everything in his power not to permit destruction or excesses, such as breaking windows and other destruction of property. Nothing much happened to either the synagogue in Augsburg itself, or other synagogues in my district; it was the larger synagogue in my district which was the first one to be used again after the arrival of the Americans last year. In individual Kreises or cities, excesses are alleged to have taken place.

Q Did directives which you issued from the Sanatorium to you deputy, did they correspond with your basic attitude toward the Jewish problem?

A This attitude corresponded with my basic attitude, and the Jewish probl if it would have gone the way I wanted it to, up until today not a hair would have been touched on the head of any Jew in my Gau.

MR. MERRECO: This question and answer seem to be largely personal. This witness is called to speak for all the Gauleiters of Germany, and in 1938 excesses were very widespread throughout Germany, and the task of this witness is to explain this excess and not to say what actually happened in one small Gau.

MR. McILWRAITH: How many Political leaders were there in your Gau?

THE WITNESS: Approximately between twelve and fifteen thousand altogether of them.

MR. McILWRAITH: Of Political Leaders?

THE WITNESS: Yes, those who were actually Political Leaders were all subordinate Kreisleiters and other people who had their labor fronts and so on, the appointed political lieters.

MR. McILWRAITH: In his Gau between twelve and fifteen thousand, is that so?

DR. LINK: May I ask a question pertaining to this?

MR. McILWRAITH: Yes.

BY DR. LINK:

Q Do you know, Mr. Wahl, there were forty-two Gaus in Germany?

A Yes, I know that.

Q Do you know that the Prosecution accounts for about six-hundred thousand individuals for the Hoheitstraeger, including the Blockleiter, and Zellenleiter, the staff of the Kreis and Gauleiters, and the Reichslevel?

A Yes.

Q Do you ever think about the fact that this figure may be much too small, because in twenty five years, from 1920 to 1945, the functionaries in the offices and positionshave changed two or three times.

A Yes.

Q Would you make a statement to this effect; that on the basis of figuring the political leiters, from Block to Gauleiter, including their staffs, one would calculate a figure of about forty-thousand, who are charged by the prosecution.

A If that includes all those whom I have referred to up to now as aids, that is, the Block and Zellenleiters, one would reach a higher figure.

Q Do you know anything about whether the action in 1938 was organized for thepolitical leiters, and executed by them in a unified manner?

A (Answering in German).

MR. McILWRAITH: When this witness makes a long answer like this, half of it must be lost in the translation. (Discussion ensued about such translation). Will you translate what I have said to counsel, and perhaps he can stop these long answers, and you may translate what he has said.

THE WITNESS: Unfortunately, I was outspoken. I was out of town. However, when I returned later I was interested in finding out just exactly what had happened, and I had attempted in every way to clarify the situation. The only thing I could find out after those weeks was that there was no central direction, no focal point, and that these actions were undertaken by individuals in the individual cities; by individual actions you will find there are always excess elements who do such things.

BY DR. LINK:

Q Have you found whether in the lesser excesses which you stated before took place in smaller cities where political leiters were involved?

A Individual ones have participated. It was very much mixed. Here it was SA, there SS and somewhere else others again, and it was very much mixed up.

Q Do you know any subordinate political leiters who had acquired Jewish property, or anything of that sort, and had derived this fromthe expulsion of the Jews?

A I have rejected enriching myself. I know of several ones who had made an attempt to enrich themselves in this way. I have always rejected to enrich myself on Jewish property, and I know of only one case where a man without my authorization has done so, and he has acquired a Jewish house.

Q I was referring to political leiters, whether any German Nationals had acquired Jewish property? I am not in any other way interested.

A I am only referring to political leiters.

Q Were political leiters either after the event of 1938, or even later charged with confiscation or securing of Jewish property?

A No.

Q Can you tell us whether the political leiters of your Gau who always reported to you, approved of your attitude towards the Jewish problem, or whether they have followed your directives?

A On those questions the political leiters had approved my attitude essentially;

Q I have a few questions pertaining to the persecution of the church. The prosecution charges the political leiters also with participation in the conspiracy which is alleged to have been executed, or planned in your human actions for reasons against ministers, or priests of the order of the church. Were you aware of any directives, and any authority which directed or ordered them, or little speeches which were ordered?

A I only know of directives emanating fromBrrmann.

Q What did they say?

A I was not particularly interested in these orders of Bormann's, so I have not followed any ofthese directives.

H1017-0079

Q Why not?

A I did not have the impression that this was the attitude of either Hitler or the party. Rather did I feel that Bormann, even before entering the party, had that attitude and now that he was in a position ofpower he wanted to bring his views into practice.

Q Within your area were there excesses for religious measures?

A Never, no.

Q I must recall to you the action of the Bavarian Kultusminister, Adolph Wagner, which was directed against the crucifix in the schools, and you as gauleiter were dealing with that primarily?

A Since Adolph Wagner was not only gauleiter but also Kultusminister of Bavaria, he in his capacity of Kultusminister issued this directive also directly to the landrate. When I heard of it, as far as possible I stopped everything.

Q In your gau was there religious freedom of worship and was it possibl to have political and religious functions?

A In every respect.

Q Did the political leaders impede church activities?

A No.

Q Were you yourself or were political leaders known to you asked to resign from the Church or did you yourself ask for such resignations from subordinate political leaders?

A I had the impression that Bormann at the end had a big powerful position in the party and liked to see resignations from the Church, but I myself did not resign nor did I ask any one subordinate to me to resign from

Q You are not God Believing?

A No, I am a Protestant.

Q What was your relation with the Kultusminister in your Gau, did you have the High Catholic Minister in your gau, and how was it in general?

A My relationship with both confessions was a very good one and may I prove that by telling that when the Americans arrived, the Catholic Bishop in my gau capital had given me a place of residence in the Bishop's house.

Q Can you give us any other example that you did not follow the directive of Bormann or other authorities in the gauleiter?

A Yes, I can give a typical example. When I went to Bormann at the time when he invented and executed his so-called monastery property order he also sent an emissary to me so that I could execute the transfer of the monastery in my gau with the party. I asked the representative of Bormann who called on me personally whether they had lost their minds completely to execute such a method, particularl now when a heavy combat raged on all fronts. The Bormann representative said to me: As you know my Chief, that happens to be his hobby, and all I can advise you to do is to execute this order. He said to execute the order because, according to his knowledge, Bormann will no longer have a gauleiter according to what good they have done in the past but only as to how they have executed this order against the Church.

Q So you did it.

A I have explained to him that personally all the joy is being taken out of this work, and then after several weeks a deputy called on me again and asked me how far I was in this action. Several things had happened at the neighboring gaus but nothing had happened in mine. While I was still thinking over how to get out of this dilemma pertaining to this order, suddenl there was a telephone order by Hitler that this action was to be stopped.

Q How many foreign laborers were there in your gau, according to your estimate?

A Between forty and fifty thousand.

Q As you said that the gau Schwaben was primarily an agricultural one, do you agree with me that most of these people were working on farms?

A Yes.

Q What do you know about the mistreatment, beatings, insults, and so on which these people from the East somewhere else were exposed to?

A I know nothing of anything big.

Q What do you mean by "big", do you mean hundreds of complaints?

A That in one or the other camps or factories it may have been that the shelter or the food was not as good as it might have been desired, or that there was a certain lack of certain things there and the situation was put right again. That is what I meant.

Q In your capacity as gauleiter, did you have an opportunity to convince yourself personally how these ten thousands of foreign workers were sheltered and treated and fed?

H1017-0081

A Yes, for this task I had two deputies, one of them was the Deputy of the Labor Front and the other was the Deputy of the Reich Food Estate. These people would come to me from time to time and they were directed to put a stop to all bad situations, and if they couldn't put a stop to them to report them to me.

Q Did you receive any reports to any great extent pertaining to the mistreatment of Poles and foreign laborers?

A No.

Q Are you acquainted with the directives which were issued putting a special restriction on workers of Polish nationality?

A I do know these directives.

Q How about it?

A I considered that these directives were completely superfluous because every gauleiter or any outside official knew how to behave toward a human being whether they were Germans or anybody else.

Q You obviously are thinking of another directive. I am not referring to a circular which summarizes all of the directives pertaining to the treatment of the foreign laborers, but I am referring to a directive introduced by the Prosecution about two weeks ago, addressed to the Grobe Kabholinde???? according to which Polish workers were to be restricted pertaining to matters of church, visits, use of bicycles and the curfew and so forth.

A I beg your pardon, my error, I mean the circular pertaining to the basic principle of treatment. I do not know the last named directive.

Q In your gau were the agricultural workers of Polish Nationality treated any different from any other foreign workers?

A They were treated equally well.

Q Do you agree with me if I say that foreign workers employed by the Landrate???? were treated the same way the German agricultural employees were treated?

A Yes, and whoever knows how kind is the Schwaben farmer will also know he will judge a person by his production and if his work is as good as that of the German workers he would have received the same treatment and same food as the German received.

H1017-0082

Q But how is it that this directive was issued from the superior authorities with reference to the treatment of the Poles and yet you tell us that the Poles were not treated any differently from the Germans?

A I can onlysay it was because of the stupidity of the people who issued the order. I know of no other reasons. That was a special case and it was pertinent to one gau.

Q Do you want to say by that that the Reich Food Agent and the Reich Commissar Association who were the ones who really contacted the people did not actually put that into practice?

A The people who actually contacted us were working on the farms and were much too reasonable to execute such things, that was the so-called conference table.

Q I now turn to my next point: That the gau and its political leaders are charged with mistreatment of enemy fliers who made emergency landings. I first submit that you were acquainted with the pertinent directives emanating from Bormann, Himmler and Goebbels?

A Yes, I do know the directives of the two non-soldiers, Bormann and Himmler.

MR. MCILWRAITH: What does he mean? Was Goebbels a soldier then?

INTERPRETER: The two non-soldiers, Bormann and Goebbels.

MR. MCILWRAITH: Does he count Himmler as a soldier?

WITNESS:

A It was an error of speech. I meant Bormann and Goebbels but Himmler was not the same type of soldier which I am thinking of.

MR. MCILWRAITH: Is he saying he did know the directives of Bormann and Goebbels and did not know the directives of Himmler? Ask the witness. I do not want couhsel to answer.

INTERPRETER: Counsel said "do you know the Bormann and Goebbels directives?" and he said "yes", and he asked him with reference to Himmler and he said: "Yes, he was acquainted with all three of them."

BY DR. LINK:

Q Did you receive these directives in your capacity as gauleiter or as the Reich Defense Kommissar?

A In my capacity as the President for the Reich Defense Kommissar. The directives from Bormann I received in my capacity as gauleiter and the directives from Himmler and Goebbels I received as Reich Defense Kommissar.

Q And what did you do in order to publish these directives to your subordinates and to see to their execution?

A I did neither transfer nor executethese orders.

Q Why not?

A I was in the military service in the last World war and I had to reason to know and to ascertain the knightliness of the soldier. From this knightliness point of view I have not issued nor transferred this order.

MR. MCILWRAITH: Will you please tell me what it was you refused to do? You refused to obey these orders? What were the orders you refused to obey?

WITNESS:

A Theorder of Bormann which came to the party.

MR. MCILWRAITH: But what was the order? That is what I want to get on the record.

WITNESS:

A As I recall it, I can't give the exact wording but it was that people who participated in lynching of fliers were not to be punished.

BY DR. LINK:

Q Did the political leaders in your gau, perhaps without your knowledge or your directives, participate in lynchings?

A I do not know of any case of mistreatment or even the killing of an enemy aviator.

Q How do you explain that? How do you explain the fact that the political leaders, taking into consideration at that time the great emotion of the population, did not participate?

A Because that essentially did not correspond to the decency of these people. Of course, there are always single individuals and I admit that after this directive of Bormann had been published, there were always some single case

Q Is it correct that there would have been ample opportunity for mistrea ment of enemy aviators because Schwaben was heavily attacked, is that correct?

A There were plenty of opportunities. I can tell of quite a few cases where the political leaders put fliers who had made emergency landings into vehicles and as quickly as possible they transferred them into captivity. For my personal attitude I want to say that on Christmas of 1942-1943, when the first enemy parachutists and aviators were at the Schwaben hospital I visited them in the hospital and I gave them the same gifts as I gave to the German wounded.

Q I come to the end now. I only want to put one question which seems to be important to me. From 1928 to 1945, that is to say, eighteen years, you were a gauleiter and you have testified before the Commission that you have taken a position opposing that of the official leadership concerning the Jewish problem in concentration camps, the church struggle and the lynch justice. You have declared that at times you have attempted to put over the opposing point of view by conferences with Hitler and in other ways. You were not successful, but nevertheless you remained a gauleiter until the last. Would you explain to the court if it would not have been your duty if you do resent all of these concepts to resign from this office and put down your conscience, and that perhaps the Third Reich would have collapsed a bit sooner?

A I know it is very difficult to give an answer here which corresponds to everything but I want to say this: My gau was one of the smallest of the Reich. For twenty-four years I was politically active in one gau and one city.

In that twenty-four years the population of this gau which was also thoroughly decent and clean had become close to my heart. If I would have resigned from my office Bormann would have enjoyed that. He really would have liked that, and the conseqence would have been that another gau leiter would have been appointed, a gauleiter by the grace of Bormann, and based on the experience of the last few years I would have done many things differently and many things would have been handled in another way. I several times intended to resign after discussing that within the circle of my friends and family, but by the population I was asked again and again to remain at any price. If I had resigned it wouldn't have had any influence on the great decision anyway, because my gau was much too small.

Q Have you done everything within your view and from your opposing point of view you found wrong to alleviate and to ease?

A In the seventeen years of my activity I have always tried to alleviat any wrong. I only felt myself responsible for my area of work and for nothing else. May I state in connection with that, that the Catholic Bishop, and I am a Protestant, has declared to my daughter as late as May of this year, that he is always willing to testify before the Court to my good character and to testify in my case. My great misery and fault is that in my youth and sincerity I have seen something in the Nazi movement which in reality did not exist.

Q And this is my last question. Was there any possibility for you to contact Adolf Hitler himself and talk with him?

A Before 1937 that was possible once in a while, yes. Since 1939 I have tried three times seriously to contact Hitler, and not only did I use the telephone but I have attempted to exploit all possibilities to talk with Hitler. I was not successful even once and then I have tried to take another road, and this is too an example of Bormann's activities. Just at the time when I had ma an application for a conference with Hitler, it happened that the Fuehrer had ordered a meeting and by a coincidence I sat in the same bunker where Hitler at his dinner. Every time I attempted to talk authoritatively, being separated by only a few meters from Hitler, Bormann suddenly stepped between us and asked what I wanted. I said that I felt that this was an occasion to discuss the matter with Hitler, and he said, well the matter you want to discuss with Hitler is finished already.

H1017-0086

Q Finished how? In what sense? That the audience was granted?

A He had given me the information that it was impossible to have a conference with Hitler, and that as far as he was concerned that finished the matter.

DR. LINK: That finishes my questions.

MR. MCILWRAITH: Have you any questions, Mr. Marreco?

MR. MARRECO: It is ten to one now and I don't want to tie myself down.

MR. MCILWRAITH: You can start and we wkll stop at one o'clock.

CROSS EXAMINATION

BY MR. MARRECO:

Q Are you here to give evidence for the NSDAP administration throughout Germany or are you here to only justify your own behavior with regard to the Gau Schwaben which you yourself said was one of the smallest in the Reich?

A I have come here to defend the honor of the political leaders all over the Reich. Of course, mainly I can talk about the things which I experienced in my own gau.

Q It is not possible, is it, to distinguish between the 600,000 odd political leaders throughout the Reich and the policy of the National Socialist Party?

A I should like to say that out of the 600,000 political leaders ninety per cent were surely all right.

Q But come now, witness, the political leadership and the party were one and the same thing, wasn't the political leadership the instrument by which the Nazi Policy was made manifest?

A It was supposed to put it into execution.

Q But it is not possible to defend the political leaders and at the same time condemn the party?

A No, but I have the impression that the top political leadership was t abuse the good political leaders.

Q If I understood the sense of the long statement you made just now it was this: You told the Commissioner that you often thought of resigning and you frequently discussed a possible resignation with your family, but as you were the gauleiter of one of the smallest gaus in Germany and it was a healthy agricultural gau with no great problems of its own, you decided no purpose would be served by your resignation, and so you decided to remain in office, is that

H1017-0087

right?

A Yes, because I felt only responsibility for my sovereignty area. Remember we did not dare ask questions concerning the Reich Policy.

Q Doesn't that mean that when you considered the fact of your resignation with your family and as you looked around you, you saw a lot to criticize and condemn in the other gaus?

A Yes, that is correct. I saw that in my neighboring gau.

MR. MCILWRAITH: We will adjourn now until two o'clock.

(The Commission adjourned at 1300 hours)

H1017-0088

KARL WAHL -- Continued
CROSS EXAMINATION -- Resumed

(The Commission reconvened at 1450 hours)

The Corps of Political Leaders.

COMMISSIONER:

Lt. Col. A. M. S. Neave

COL. NEAVE: First of all I apologize for the delay, but the Commissioner who was due to sit here has not arrived. I'll, therefore, continue with the hearing of this witness myself. Is he outside?

DR. LINK: Yes, he is outside.

COL. NEAVE: How far have you got?

MR. MARRECO: I'm cross examining this witness, sir, and I shall be about ten or fifteen minutes.

COL. NEAVE: Will you continue?

CROSS EXAMINATION RESUMED

BY MR. MARRECO:

Q Witness, before the adjournment I was asking you about the conversation which you had with your wife on the question of whether or not you should resign your position as Gauleiter. Isn't the implication to be drawn from that conversation this -- that you were ashamed of what other Gauleiters were doing, and that all around you saw things going on which you disapproved and wanted to disassociate yourself from?

A Yes.

Q That is true, isn't it?

A Yes, that is true.

Q Your little Gau of Schesaben was bordered on the North by the great Gau of Franconia where Streicher was Gauleiter, wasn't it?

A I want to stress the point that the Gau of Schesaben was not much smaller than the Gau of Franconia. All the Bavarian Gaus are very small as are most of the Gaus in that district.

Q Doesn't matter of the size. Was not your Gau bordered on the North by the Gau of Streicher?

H1017-0089

A Yes.

Q And you knew of the sort of thing that was going on in Franconia? You knew about Streicher's Jew baiting and of the filth Streicher was rising in his Sturmer?

A I knew of those things, and I always rejected that foolishness of Streicher, inwardly and outwardly.

Q And when you discussed these things with your wife, it was from actions of which you knew Streicher was guilty of that you wished to dis-associate yourself?

A Yes.

Q Well then that being so, how can you come here and give evidence before this Commission in defense of all Gauleiters and Party administration throughout Germany? Isn't it true to say that the evidence you gave this morning is a personal justification and we should take it as such and no more

A I want to stressthe point that it's not my task and not my wish her to justify all the Gaus. In the Gauleiters there were maniacs and blood thirsty fools as everywhere else.

Q Well, witness, I just want to be clear -- what the effect of your evidence is because as I understood you came here today to give evidence to rebute the prosecution's assertions that the Party administration -- that the Party policy as it was given evidence through the Political Leadership, was a criminal one.

A I have not come here in order to defend the National Socialist regime, which has gone away without glory and has done a lot of bad things. I have come here only to restore the honor of the great many political leaders who were decent fellows and who have no part in the punishable deeds that have been committed by others.

Q Witness, I'm not denying that there may have been political leaders who were innocent men, but did not you agree with me before the adjournment that it is quite impossible to distinguish between the policy of the Party and the political leadership which was the instrument by which that policy was mad manifest?

A May I in short explain that. I only wish to stress the point that

H1017-0090

there have been bad and good Gauleiters and, of course, the bad Gauleiters wanted to exercise their plan in their own Gaus, and there were creatures who were quite willing to exercise those plans, but I must stress again that the great majority of the political leaders rejected those and took no part.

Q If the great majority of political leaders were innocent, how was it you frequently discussed with your wife that you wanted to resign your position, because you did not approve of what was going on?

A This was the case mainly because inwardly I rejected the conduct of many of our superior leaders.

Q I see. Now, I just want you to look with me at two documents. Th is a document the defense counsel mentioned to you in his examination in chief this morning. Sir, this is E.C. 68, which has already been put in evidence before this Commission.

COL. NEAVE: What is the title of this document?

MR. MARRECO: Directives on the treatment of foreign farmworkers of Polish Nationality.

BY MR. MARRECO (Continued)

Q This is a letter, isn't it, from the Gauamtsleiter in the effect that Gauamtsleiters for agriculture to Kreisbauernschaften in the Gau, and the defense counsel this morning mentioned one or two of the points in this docume I'll just remind you of them. Paragraph #1 says, "Fundamentally, farmworkers of Polish nationality no longer have the right to complain, and thus no complaints may be accepted any more by any official agency." And paragraph # "The visit of churches, regardless of faith, is strictly prohibited, even when there is no service in progress. Individual spiritual care by clergymen outside of the church is permitted." And Paragraph #5: "Visits to theaters, motion pictures or other cultural entertainment are strictly prohibited for farmworkers of Polish nationality." And #6 - Visits to restaurants prohibite', and #7: "Sexual intercourse with women and girls is strictly prohibited, and wherever it is established, it must be reported." And #10: "Permits to leave the village may only be granted in very exceptional cases..." And #12: Every employer has the right to give corporal punishment toward farmworkers of Polish nationality, if instructions and good words fail. The employer may not be he accountable in any such case by an official agency." Paragraph #13, "Farm-workers of Polish nationality should if possible be removed from the community of the home, and they can be quartered in stables, etc. No remorse whatever should restrict such action."

That document gives a pretty good picture, doesn't it, of the sort of lif these slaves led?

A It is a very sad picture that is given here, and that is one of the reasons why I wanted to get away from many things.

Q That document was distributed, was it not, to the Kreisbauernschafte who were the innocent experts attached to Kreisstadt who you say knew nothing about what was going on at all?

A This document is confined only to the Gau Baden but I am quite aware that there may have been some Kreisleiters who had knowledge of these document and executed the orders, but I am quite convinced that the majority of the employees and experts who worked on these things laughed over those documents.

Q Witness, I am not suggesting that these conditions necessarily came in your Gau, though I don't see how, observing that Karlsruhe is only 150 kilometers from Ehren you couldn't be aware of these conditions. I am not suggesting that this necessarily went on around in your Gau, but I am suggesting that this situation was widespread throughout Germany.

A I regret to say that one Gau was very strongly separated from each other, and the doors between those Gaus were much more defined than even before when there were hundreds of Kingdoms...

Q But you are giving your evidence here, witness, for the Gaus in which these things went on, as well as for the Gaus in which they didn't. Will you agree with me that it was the duty, it was the clear duty, of any decent Kreisschaftenfuehrer when he got this order to resign his position?

A At least, he should have immediately protested against this.

Q Ought not he have done more than protest against a situation which ordered conditions of pure slavery for these workers?

A Such experts as were familiar with agriculture on the field should, of course, if their protest had not had any effect, have gone further in their personal standing opinion.

Q You told us this morning, and other witnesses have told us as well, that these so-called experts, outer circles of experts, were not informed abou these things, knew nothing about them. Are you still telling us that this circle of experts were not familiar with the details of the policy toward slav labor, and so on?

A Well, it is clear that even in these outer circles there have been men who have acted differently.

H1017-0093

Q. You are not answering my question. You see, witness, the prosecution doesn't dispute that there were a handful of men who acted as any decent man could be expected to act in these circumstances. My question is -- are you still telling us in view of the document that I put to you, that the outer circle of the Gau and Kreis staff did not know what the policy, and the treatment of slave labor was?

A. As far as I have seen, this document emanated from the Reichslehrstad the Reichs Food Supply Office. This office is an expert of the Amt. I can onl find one explanation, that is, that the director of this Amt knew his Gualeiter pretty well and in order to please him he printed this document and had it sent to the Kreisleiter.

Q. It doesn't really matter where it came from, the document speaks for itself in all its brutality. What is important is the distribution. It went to every Kreisbauernschaften in the Gau and they all knew what the policy of that Gau at least was toward slave labor.

A. May I stress the point again that most of these leaders of Kreisbauernschaftens who received these circular letters were experts and peasants to whom it would have been quite impossible to see to the execution, and to even conceive the execution of such a stupid measure and the announcement contained in the letters.

Q. Witness, we have had one of them here before this Commission. Did you know the Kreisbauernschaften Johann Adam Mohr?

A. He was not a Kreisbauernschaften. He was Landesbauernschaft of Main-Franken.

Q. He would have seen that document, would he not?

A. That is not quite sure. He might have seen it; in the other Gaus nobody knew of it.

Q. Well, Mohr is pretty typical of the kind of man that Kreisbauernschaften were. Mohr is an intelligent farmer. He is not just an ignorant peasant.

A. Mohr was a Gau peasand leader of Main-Franken and at the same time a practical farmer and lead of the Gaubauernschaften. He was in this capacity in Main-Franken as the man who has sent out this document was for Baden.

Q. But was such a man with a great measure of leadership, expected of such a man?

A. Mohr would never have sent out such a document. He was a reasonable, practical man, and if you will permit me to say so the man who wrote that document was crazy. It is inconceivable that a man who had practical experience could expect that document to be obeyed.

Q. You said this morning that these documents were sent out, but in fact never obeyed. Isn't that pure nonsense? Are you going to tell this Commission that there are plenty of farmers in the country who would jump at the opportunity to inflict a corporal punishment on the people if their government gave them a blank check to do so?

A. There may have been sone cases of course, but I must say that the great mass of peasants reacts quite differently. I came from a Gau which is fundamentally agricultural, and there are more peasants than anything else, and I know that the peasant estimates his laborer whether he is a foreigner of not, and a good laborer is well treated, well fed, and is not sent to the stable to sleep. But I repeat there may have been some exceptions.

Q. You see, witness, just because they gave them a blank check to flog their laborers and to make them sleep in stables -- the political leaders regarded them as criminals.

Now, just look at the second document. This is Document D.-884A. Also already in evidence before the Commission. It is a letter from the Gaustabsamtsleiter of Baden/Elsass dated 1944, and entitled "Employment of Foreign Nationals." This is a document, witness, which lays down the action to be taken when foreign female laborers become pregnant. Just look on at page two: "Should foreign female women have been induced to sexual intercourse by the German man (for instance by taking advantage of a condition of dependency), she will be taken temporarily into protective custody and then sent to another place of work. In other cases, the foreign female worker will be sent to a concentration camp for women."

And then look over on that page -- when these women have their children their children are to be taken away, and if investigations show that the pregnancy be racially satisfactory and hereditarily healthy, they will go to homes for foreign children, to be looked after by the National Socialist Welfare Organization and will be looked after by families; and in the negative cases the children will be lodged in foreign childrens nurseries.

And now, look at the distribution of this document. To the Gauobman of the German Labor Front, Gau Propaganda Chief, Gau Press Office Chief, Gauamsleiter of the Bureau of Racial Policy, National Health, the Peasantry, National Welfare, Questions of Race, to the Gau Women's Leadership to the Gau Labor Office, Baden/ Alsace, Kreisleiters, Kreisobmann of the German Labor Front, Kreis Peasant Leaders, and so on.

You see, are they not just those people you told us didn't know anything about this?

A. I may stress the point that just because of this distribution it is quite clear that the man who edited this document, Gaustasamtsleiter of Strassburg, quite incidentally the same who has edited the other document, thi man wanted to give himself unheard of incredible importance, and that it is mere nonsense to send these papers to people who had in reality nothing to do with these matters.

Well, look over at page -- turn over to page four -- four pages, until you get the letter from the Kreisleiter of Villigen. You see it?

A. Yes.

Q. You say that he was distributing these letters to people who were taking no action on it. Justlook here what Haller says. The exact statement on the cases of pregnant women already occurred is no longer possible, because these cases were not registered with any authority, as I found out until now there were exactly twenty-two pregnancies, of which four abortions are said to have been carried out, whereby two of the women died. Of the remaining seventeen births, five were still-birth. The NSV did not care for these cases.

That was really murder, wasn't it?

A. May I state, on theprinciple of the thing that that sort of regulation I loathe and I have always loathed as much as the Tribunal does.

Q. You knew then that this osrt of thing was going on in some Gaus?

A. I had no knowledge of that much nonsense. That there was so much of it I would not have believed.

Q. I am not suggesting for a moment that this sort of thing went on in the Gau Schwaben, nor that this document I put to you came from the Gau Baden-Elsass. What I am suggesting is that this thing was widespread and in a large proportion of the forty-two Gaus in Germany.

A. I deem it partially possible, but not to that extent.

MR. MARRECO: No further questions.

THE COMMISSIONER: Col Orlov?

BY COLONEL ORLOV:

Q. Have you studied the book, "Mein Kampf" very thoroughly? You have understood, have you not, that Hitler was about to execute everything that he had written in that book?

A. Not everything; all of it was not quite clear.

Q. You have stated this morning, have you not, that you had a talk with Hitler concerning treatment of political enemies?

A. Yes.

Q. This talk took place in the years of 1936 or 1937?

A. Yes.

Q. And you thought, didn't you, that Hitler might let the political enemies go free and get out of concentration camps, didn't you?

A. Did you refer to the implication that he would leave them go out of the concentration camps if he had an island?

Q. You have said, have you not, that you asked Hitler to free all political enemies which he kept prisoner in Gau Schwaben?

A. Yes.

Q. Have you forgotten what the same Hitler did to his political enemies in the summer of 1934?

A. I have always deeply regretted what Hitler then did to his political enemies.

Q. It is not a question here of whether you regretted it or not, but it is a fact that you are well aware of the very short way Hitler used to treat his political enemies, he treated them in a very short manner, didn't he?

A. I was aware of the fact that he locked them up in concentration camps, but that there have been more than that I have only heard to my deepest regret in this Tribunal.

Q. Then you had no knowledge that many political enemies of Hitler were murdered in the year 1934 ?

A. No, I have no knowledge of that. I should not even have thought of suc a thing, because the outer signs which we have seen pointed to something quit different.

THE COMMISSIONER: Is the witness saying that any of the political oppc nents of Hitler were killed in 1934 ? Is that was he is saying ?

COL. ORLOV: Yes, that is what he is saying.

THE COMMISSIONER: I just wanted to make sure that it is clear in the record.

THE WITNESS: May I make a correction here. There is an error. Of course, I had knowledge of the men that were killed on June 30th.

THE COMMISSIONER: Isn't what Colonel Orlov told him about ?

COL. ORLOV: Of course.

THE WITNESS: I thought you were talking of socialists and democrats and political enemies.

THE COMMISSIONER: We are talking about the word political enemies.

THE WITNESS: The term political enemies must not lead you astray because I did not see the men who were executed on the 30th of June; I didn' see political enemies in those men at all.

BY COL. ORLOV:

Q. You witness, are the man the political leaders were subordinate to, hav made propaganda during the years made national socialist ideology, have you not ?

A. Yes, I have done so. But in a manner which could be excused before the people, because I rejected all government by force, all brutality, in all the years I have been in the government.

Q. You see, don't you, that you and all the political leaders therefore are responsible for all the crimes that have been committed ?

A. In my Gau there have been no political crimes. If Jews have been expelled and later on, as I have heard to my horror now here, later on have been exterminated, these were measures by the Reichs which have been taken by the Gestapo and Himmler, and executed by them too.

Q. So you think the national socialist propaganda you have sponsored for 17, no, 23 years, that propaganda does not mean a thing ?

A. May I state that the Gauleiter was only responsible for his own area. I think that if in my Gau there had happened anything which is not compatible with moral laws, them I don't think that the representatives of all confessions were ready to give me a certificate of goodconduct today. I don' think so.

Q. And the fact that you have advocated a great number of young men in national socialist instructions, doesn't mean anything either ?

A. That was under the authority of the Youth Leaders, but as far as I have intervened in these matters, the measures remained in the frame I have described already today.

Q. And you, in your capacity as Gauleiter, you had nothing to do with that

A. Not directly with the youth, no. The youth was quite independent an organization of itself, and that point has always been stressed.

COL. ORLOV: No more questions.

THE COMMISSIONER: Do you wish to re-examine, Dr. Link ? When did this witness come on. How long has he been heard ?

DR. LINK: Do you refer to my questioning only ?

THE COMMISSIONER: When did you begin ?

DR. LINK: About ten past ten.

THE COMMISSIONER: All right.

BY DR. LINK:

Q. I want to ask only a few questions, but I would like what I am going to say now out of the record.

THE COMMISSIONER: Do you have any questions, or are you going to addres me — which ?

DR. LINK: I want to address the Commission, and then I want to ask som questions of the witness.

THE COMMISSIONER: Before we decide this will be off the record, you must tell me what the conversation is going to be. What has now been said is still in the record.

DR. LINK: Yes, sir. One of the attorneys of the prosecution has discussed the question why the witness has been called here, and I have only to stress the fact that the witness has not been brought here as it was thought of, for his personal justification. But because he was to be questioned, as I have said at the beginning of the questioning, and he has been questioned with regard to 1 and 3 of 6A of the decree of the 13th of March. That is, namely, what were the aims of the Gau in the group that has been charged here in the sense of this charter ?

THE COMMISSIONER: Dr. Link, I think we can cut this quite short. It's perfectly simple. If you wish to make that clear, ask the witness to clarify his answers to the prosecution during your re-direct examination.

DR. LINK: Yes, sir.

BY DR. LINK:

Q. Witness, have you testified here in order to justify your personal position, or have you come here to give us information as to the coordination of persons with the clear plan in view of committing crimes in the frame of your Gau ?

A. It was far from me to come here to testify myself. I came here to restore the honor of the many subordinate political leiters which I have known in my Gau.

THE COMMISSIONER: Dr. Link, is that exactly the answer he gave to the prosecution ?

DR. LINK: Yes, sir.

THE COMMISSIONER: Isn't that point cleared up, then ?

DR. LINK: Yes, sir.

THE COMMISSIONER: I am quite satisfied that it is myself.

DR. LINK: I would like to have a look at these two documents, and if the attorney for the prosecution would kindly place them at my disposal, I would not have to interrupt now and go to my office.

THE COMMISSIONER: He doesn't seem to be here. See if he is around outside there. He may be in 234. Tell him to come here immediately.

BY DR. LINK:

Q. Do you maintain that in your Gau you have not received the document dealing with the Polish workers ?

A. I have never received such a document, and if I had received it I would have thrown it in the waste paper basket.

THE COMMISSIONER: Dr. Link, you need not ask that question again. He has already testified to that.

DR. LINK: I have asked this question again because if I am not mistaken the prosecutor has asked the witness :"This morning you have stated that you have received this document." I wanted only to clarify this point.

THE COMMISSIONER: Oh, I see, all right, go on.

BY DR. LINK:

Q. Did the Kreisbauernfuehrer belong to the staff of the Kreisleiter ? To the large circle of the staff in the capacity of expert, as you have already mentioned in this norning ? The Reichsbauernfuehrer as deputy of the Reichsnachrstand, or the expert in the matters of agriculture. Will you please distinguish between those two ?

A. This was generally a personal union, and where this was the case, there were two persons, the agricultural expert and the Kreisbauernschaften.

Q. Do you maintain that in your Gau the Polish or other foreign workers were treated in the same way as German Laborers ?

A. Yes, I maintain that.

Q. With regard to the second document, I have to ask : You have answered the question of the prosecutor with regard to the distribution of the document, that from the very fact that this document has been sent out to many different offices which had nothing to do with it, that from this very fact one can derive that the man who sent it off wanted it in the office. And I put it to you, that you have been shown on this document only two parts, and that in the document thereare a certain number of other matters dealt with, don't you know that ?

THE COMMISSIONER: Aren't these copies of the document there on the table ? On the interpreter's table. Yes, one document. And the other one in on Mr. Marreco's desk. Show these documents to Dr. Link. I think they are, Dr. Link, the documents which you require.

BY DR. LINK:

Q. I don't want to put it to you, but I want to ask you whether you know that ?

A. Yes, I think so because of the volume of the document.

Q. And you are aware that the distribution, of course, deals with the whol of the document ?

A. Yes, I thought so.

Q. Do you mean to imply that your testimony on the principle isn't changed with regard to the expert officers of the staff by the fact that you have bee shown now 2 documents which clearly were directives in a political sense ?

A. In what was shown here we have to show, in my opinion, an exception. On the principle the situation was as I have described it.

Q. Have you understood from the book "Mein Kampf" that should Hitler come into power he would throw his political enemies into concentration camps ?

A. No, in no way.

Q. What was your view of the persons that have been shot on June 30, 1934

A. I have dealt with the matter in detail. At that time I was horrified at Hilter's way to deal with those people. Later on again I tried to make inquiries and all I was able to find out was that those people were engaged in making a sort of putsch.

Q. Did you not consider these people as political enemies of Adof Hitler ?

A. The term, "political enemies" could not in my opinion be applied to those people because they were National Socialists too and they only disagreed on the course which was to be followed. They wanted to get the power in their hands by way of a putsch whereas Hitler wanted to wait.

Q. Hitler was already in power at that time, wasn't he ? Do you mean to say that they wanted to push on the revolutionary reconstruction quicker after 1933 ?

A. I have stressed the point formerly because even before the coming into power of Hitler there were certain currents in that circle of Roehm to go forward quickly and later on these people wnated to get more revolutionary power in their hands.

COMMISSIONER NEAVE: I think this point has been quite adequately covered.

DR. LINK: I have no further questions.

COMMISSIONER NEAVE: Well now, will you want this witness kept in Nurnberg ?

DR. LINK: I would suggest that he stay for a little while because we have to make up our minds as to the choice of the different witnesses for the Tribunal.

COMMISSIONER NEAVE: Very well. The witness may be excused.

(The Commission adjourned at 1610 hours).

The foregoing is a true and correct transcript of the testimony of KARL WAHL, taken on 15 July 1946

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